Union Calendar No. 675

98TH CONGRESS *2d Session*	HOUSE OF REPRESENTATIVES	REPORT 98-1192

SURVEY OF ACTIVITIES

OF THE

HOUSE COMMITTEE ON RULES

98TH CONGRESS

REPORT

BY THE

COMMITTEE ON RULES

JANUARY 2, 1985.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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LETTER OF TRANSMITTAL

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON RULES,
Washington, DC, January 2, 1985.

Hon. BENJAMIN J. GUTHRIE,
Clerk, U.S. House of Representatives,
Washington, DC.

DEAR MR. GUTHRIE: Transmitted herewith is a report entitled "Survey of Activities of the House Committee on Rules, 98th Congress" submitted pursuant to Rule XI, clause 1(d) of the Rules of the U.S. House of Representatives.

Sincerely yours,

CLAUDE PEPPER, *Chairman.*

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REPORT ON SURVEY OF ACTIVITIES OF THE HOUSE COMMITTEE ON RULES

JANUARY 2, 1985.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. PEPPER, from the Committee on Rules, submitted the following

REPORT

Pursuant to the provisions of Rule XI, Clause 1(d) of the Rules of the House of Representatives, the Committee on Rules submits the following report on its activities during the 98th Congress.

I. HISTORY, FUNCTION, AND ORGANIZATION OF THE COMMITTEE ON RULES

A. INTRODUCTION

The Committee on Rules is unique in its function and importance to the House. It has been said that if it did not exist, the House would have to establish a panel to perform its function. The primary responsibility of the Committee is to recommend rules and procedures for the conduct of the legislative business of the House. This report serves its principal purpose as a summation of the Committee's activities during the 98th Congress. Yet the Committee feels that to understand the basic principles of how it functions is vital to understanding the day-to-day operations of the House of Representatives. Therefore, this report contains basic explanations, which we hope will be of benefit to those who wish to learn more about the Committee and the House.

B. HISTORY AND FUNCTION

The history of the Committee on Rules parallels the continual evolution of the House that has taken place over the past 195 years. The complexity and number of issues which the House must address is increasing proportionately to the socio-economic changes

occurring within the populace. Consequently the Committee has developed well-founded procedures which offer the House the means to determine which of these issues will be deliberated and to determine the ground rules for their consideration, thereby establishing the best possible forum for their debate. The Committee has continued in its effort to ensure that all members, regardless of ideology or party affiliation, receive equal and unbiased opportunities to contribute to the shaping of legislation which will contribute to the progress of the Nation.

The dual role of the modern Committee on Rules in the U.S. House of Representatives was created by the convergence of two lines of congressional history at the beginning of this century. The first line dates back to the First Congress on April 2, 1789 when, under its constitutional mandate contained in Article I, section 5(2), the House established the first congressional committee, the Select Committee on Rules, to recommend rules and procedures for conducting business in the House of Representatives. The Committee was "to prepare and report such standing rules and orders of proceedings as may be proper to be observed in the House." On April 7, 1789, the Committee proposed four rules pertaining to (1) the duties of the Speaker, (2) decorum and debate, (3) the disposition of bills, and (4) the operations of the Committee of the Whole House on the State of the Union. These rules were based largely on the practices and principles then used by major parliamentary forms of government. A successor to the original Select Committee on Rules had been created by virtually every Congress until 1880 when the Committee on Rules became a standing committee of the House.

The second line of congressional history dates from the early 19th century when the increasing volume of legislative proposals required the House to develop a mechanism for considering bills in order of priority, rather than the chronological order in which they were placed on a calendar of pending legislation. During the period from 1789–1879, the Select Committee on Rules proposed numerous revisions in the Rules of the House primarily to reduce the effects of dilatory tactics which allowed a minority to obstruct the desires of the majority. The more important revisions occurred during 1811, 1837, and 1860 when most of the dilatory tactics employed by the minority were replaced by more equitable procedures. This very difficult problem of allowing the majority to rule while protecting the minority rights is still of great concern today.

By 1879, due to increased House membership, the increasing complexity of issues, and the confusing state of the rules, the Select Committee on Rules proposed a revision to allow the House to function more efficiently. The forty-four rules contained in the revision comprise most of the present-day House rules. These rules included a provision which elevated the Rules Committee to standing committee status and gave it sole jurisdiction over the "rules and joint rules" of the House. Since then, the Committee on Rules has exercised continuous jurisdiction over the manner in which the House does its legislative work.

With the proliferation of legislative initiatives and the increase in the complexity of the issues confronting the House, a mechanism was needed for tailoring the time and terms of debate and

amendment to individual bills, rather than relying on standard procedures which could not reflect the differences between bills in importance and complexity. The mechanism created was a special order or "rule" which, upon adoption by the House, would allow it to consider immediately a named bill in a manner appropriate to that bill. Originally, these special orders or "rules", which took the form of internal House resolutions, were proposed by legislative committees desiring consideration of their priority bills by the House. These special orders of business, when adopted by a majority vote, governed the time and manner by which bills are considered on the House floor, and allowed bills to be considered by their degree of priority rather than the chronological order by which they appear on the legislative calendar. The Committee's right to report special orders on bills crafted by other committees was confirmed in 1880 when the House accepted the Speaker's ruling that the Committee had the authority to do so. This authority, coupled with the Committee's right to report at any time, provided a powerful mechanism for expediting consideration of important measures on the House floor. By 1890, the House resolutions known as special orders or "rules" had become the exclusive prerogative of the Committee on Rules.

The next step in the Committee's historical line came in 1910 when the Speaker of the House, who had served on and controlled the Rules Committee since 1858 and had increasingly come to rely on its powers to control the agenda of the House, was prohibited from sitting on the committee. No Speaker since has been a member of the Committee which has continued to recommend the special orders which allow for the consideration of priority legislation on the floor of the House of Representatives, affect debate time and determine the range of amendments which can be offered to a bill.

Through its evolution the Committee acquired a responsibility which developed from its function of reporting special orders of business. The Committee works very closely with the House leadership and relevant committee leaderships in devising a rule which best addresses the particulars of a bill and in scheduling the bill for consideration. By examining the merits of particular bills or resolutions, its hearings have become a proving ground for legislation. Also the Committee attempts to gain insight into—and resolve—legislative problems, individual differences of opinion, and jurisdictional disputes before the measures are considered by the full House. In doing so, the House is allowed to conduct its legislative business in a more efficient and less obstructive fashion.

In exercising its jurisdiction over the operations of the House, the Committee has not been limited in its power to report special orders of business. In recent years the Committee has reported the Legislative Reorganization Act of 1970, the Congressional Budget and Impoundment Act of 1974 and proposals regarding the broadcasting of House proceedings. The Committee is authorized to report emergency waivers of the Budget Act and oversee the operation of the budget process. The Committee also reports resolutions to establish select committees, to authorize certain investigations and to recess or adjourn.

During the 98th Congress the historical lines of the Committee on Rules continued to evolve with its consideration of such issues as legislative veto, the congressional budget process, and other matters affecting the rules and procedures of the House.

C. Committee Organization During the 98th Congress

During the 96th Congress, the Committee membership was increased from 10 members to 16 members. It remained at 16 during the 97th Congress. The 98th Congress saw the membership reduced to 13 members, nine Democrats and four Republicans. Twelve of these members had served on the Committee on Rules during the 97th Congress: Democratic Representatives Claude Pepper of Florida, Chairman of the Committee; Gillis W. Long of Louisiana; John Joseph Moakley of Massachusetts; Butler Derrick of South Carolina; Anthony C. Beilenson of California; Martin Frost of Texas; David E. Bonior of Michigan; and Tony P. Hall of Ohio and Republican Representatives James H. Quillen of Tennessee; Delbert L. Latta of Ohio; Trent Lott of Mississippi; and Gene Taylor of Missouri. Four Members of the Rules Committee did not return to the 98th Congress, three Democrats and one Republican. Rather than fill all of the vacancies, the Speaker appointed only one new member, Democratic Representative Alan Wheat of Missouri.

The organizational meeting of the Committee was held on January 26, 1983. Mr. Long submitted a motion that the Committee rules that were in effect at the adjournment of the 97th Congress be adopted as the rules of the Committee for the 98th Congress with an amendment. The amendment to Rule 3(D)(1) provided that for the purposes of hearing testimony on rule requests, five members would constitute a quorum. Mr. Long also offered a motion that, pursuant to Rule 4(D), the Subcommittee on the Legislative Process and the Subcommittee on Rules of the House would each be composed of a majority of four and a minority of two. During the 97th Congress, the Subcommittee on the Legislative Process had been composed of four majority members and two minority members and the Subcommittee on Rules of the House was composed of six majority members and three minority members. Both of Mr. Long's motions were adopted by voice vote.

The Chairman subsequently appointed the members of the two subcommittees as follows:

Subcommittee on the Legislative Process: Gillis Long, Louisiana, Chairman; Butler Derrick, South Carolina; Martin Frost, Texas; Alan Wheat, Missouri; Trent Lott, Mississippi; and Gene Taylor, Missouri.

Subcommittee on Rules of the House: John Joseph Moakley, Massachusetts, Chairman; Anthony C. Beilenson, California; David E. Bonior, Michigan; Tony P. Hall, Ohio; Gene Taylor, Missouri; and Trent Lott, Mississippi.

Chairman Pepper announced his intention to re-establish the Task Force on the Budget Process for the 98th Congress and praised the Task Force's accomplishments during the 97th Congress. The Chairman reappointed Mr. Beilenson as Chairman and Mr. Frost, Mr. Bonior, and Mr. Hall as majority members and Mr. Latta and Mr. Lott as minority members. The Chairman also ap-

pointed himself and Mr. Quillen as ex officio members. The Chairman further stated that due to the complexity of the matters at hand and the effect that budget reforms would have on the authorizing committees of the House, it would be in the best interest of the House to include a number of non-voting members from the authorizing committees. Previously only members of the Committees on Appropriations, on Ways and Means, and on the Budget were included as non-voting members of the Task Force.

The Committee, by voice vote, agreed to a motion to fix the maximum pay for associate staff at $39,661.

On February 8, 1983, the Committee by voice vote authorized the Chairman to introduce a resolution providing investigations and studies funds for the Committee in the amount of $653,000 to be used during the first session of the 98th Congress. The Committee also met on January 31, 1984, to authorize the Chairman to introduce a resolution providing funds for investigations in the amount of $661,778 for use during the second session of the 98th Congress.

D. Rules of the Committee on Rules

U.S. House of Representatives

98th Congress

In accordance with Rule XI, clause 2(a), the Committee on Rules adopted the following Rules of Procedure on January 26, 1983.

Rule 1—Applicability of House Rules

The Rules of the House of Representatives are the rules of the Committee on Rules (hereafter in these rules referred to as the "Committee") so far as applicable, together with the rules contained herein.

Rule 2—Scheduling and Notice of Meetings and Hearings

REGULAR MEETINGS

(a)(1) The Committee shall regularly meet at 10:30 a.m. on Tuesday of each week when the House is in session.

(2) A Tuesday meeting of the Committee may be dispensed with if, in the judgment of the Chairman of the Committee (hereafter in these rules referred to as the "Chair"), there is no need for the meeting.

(3) Additional regular meetings and hearings of the Committee may be called by the Chair or by the filing of a written request, signed by a majority of the members of the Committee, with the Staff Director of the Committee.

NOTICE FOR REGULAR MEETINGS

(b) The Chair shall notify each member of the Committee of the agenda of each regular meeting or hearing of the Committee at least 48 hours before the time of the meeting or hearing and shall

provide to each such member, at least 24 hours before the time of each regular meeting or hearing—

(1) for each bill or resolution scheduled on the agenda for consideration of a rule, a copy of (A) the bill or resolution, (B) any committee reports thereon, and (C) any letter requesting a rule for the bill or resolution; and

(2) for each other bill, resolution, report, or other matter on the agenda, a copy of (A) the bill, resolution, report, or materials relating to the other matter in question, and (B) any report on the bill, resolution, report, or other matter made by any subcommittee of the Committee.

EMERGENCY MEETINGS AND HEARINGS

(c)(1) The Chair may call an emergency meeting or hearing of the Committee at any time on any measure or matter which the Chair determines to be of an emergency nature; provided, however, that the Chair has made an effort to consult the Ranking Minority Member.

(2) As soon as possible after calling an emergency meeting or hearing of the Committee, the Chair shall notify each member of the Committee of the time and location of the meeting or hearing and shall particularly make an effort to consult the Ranking Minority Member of the Committee or, in such Member's absence, the next ranking minority party members of the Committee.

(3) To the extent feasible, the notice provided under paragraph (2) shall include the agenda for the emergency meeting or hearing and copies of available materials which would otherwise have been provided under subsection (b) if the emergency meeting or hearing was a regular meeting or hearing.

RULE 3—MEETING PROCEDURES

IN GENERAL

(a)(1) Meetings and hearings of the Committee shall be called to order and presided over by the Chair or, in the Chair's absence, by the Ranking Majority Member of the Committee present as Acting Chair.

(2) Meetings and hearings of the Committee shall be open to the public unless closed in accordance with clause 2(g) of rule XI of the Rules of the House of Representatives.

(3) The five-minute rule shall be observed in the interrogation of each witness before the Committee until each member of the Committee has had an opportunity to question the witness.

(4) When a recommendation is made as to the kind of rule which should be granted for consideration of a bill or resolution, a copy of the language recommended shall be furnished to each member of the Committee at the beginning of the Committee meeting at which the rule is to be considered or as soon thereafter as the proposed language becomes available.

VOTING

(b)(1) No measure of recommendation shall be reported, deferred, or tabled by the Committee unless a majority of the members of the Committee is actually present.

(2) A rollcall vote of the Committee shall be provided on any question before the Committee upon the request of any member of the Committee.

(3) A record of the vote of each member of the Committee on each rollcall vote on any matter before the Committee shall be available for public inspection at the offices of the Committee.

(4) Notwithstanding subsection (f)(3), the members of the Committee, or one of its subcommittees, present at a meeting or hearing of the Committee or the subcommittee, respectively, may, by a majority vote, limit the duration of debate, testimony, or Committee or subcommittee consideration with respect to any measure or matter before the Committee or subcommittee, respectively, or provide for such debate, testimony, or consideration to end at a time certain.

MEDIA COVERAGE OF COMMITTEE AND SUBCOMMITTEE PROCEEDINGS

(c)(1) The Committee and each of its subcommittees may permit, by majority vote for each day of an open meeting or hearing of the Committee or of that subcommittee, respectively, the coverage of that meeting or hearing, in whole or in part, by television broadcast, radio broadcast, or still photography.

(2) Any media coverage under this subsection shall be subject to all the requirements and limitations set forth in clause 3 of rule XI of the Rules of the House of Representatives, and the provisions of subparagraphs (1) through (13) of paragraph (f) of such clause are hereby incorporated as part of the rules of the Committee applicable to such coverage.

QUORUM

(d)(1) For the purpose of hearing testimony on requests for rules, five members of the Committee shall constitute a quorum.

(2) For the purpose of hearing and taking testimony on measures or matters of original jurisdiction before the Committee, three members of the Committee shall constitute a quorum.

(3) For the purpose of the Committee's ordering a measure or recommendation reported, closing any of its meetings or hearings to the public, sitting in executive session, or issuing a subpoena, a majority of the members of the Committee shall constitute a quorum.

SUBPOENAS AND OATHS

(e)(1) Pursuant to clause 2(m) of rule XI of the Rules of the House of Representatives, a subpoena may be authorized and issued by the Committee, on its own initiative or on behalf of a subcommittee thereof, in the conduct of any investigation or series of investigations or activites, only when authorized by a majority of the members voting, a majority being present.

(2) The Chair may authorize and issue subpoenas under such clause during any period in which the House has adjourned for a period of longer than three days.

(3) Authorized subpoenas shall be signed by the Chair or by any member designated by the Committee, and may be served by any person designated by the Chair or such member.

(4) The Chair, or any member of the Committee, may administer oaths to witnesses before the Committee.

HEARINGS ON RULES

(f) The following procedures shall apply, as determined by the Chair, acting on behalf of the Committee, in cooperation with the Ranking Minority Member of the Committee, to Committee meetings and hearings on rules:

(1) A measure or matter before the Committee which is determined to be non-controversial as to both type of rule and substantive content may be scheduled for consideration by the Committee without any hearing.

(2) A measure or matter before the Committee which is determined non-controversial as to substantive content but controversial as to type of rule may be the subject of a Committee hearing at which the principal proponents and opponents of the rule will be provided an opportunity to testify only as to the type of rule to be granted.

(3) A measure or matter before the Committee which is determined to be controversial as to substantive content by at least six members of the Committee will be the subject of a Committee hearing at which all interested Members of Congress who are proponents or opponents of the measure or matter will be provided a reasonable opportunity to testify.

GENERAL OVERSIGHT RESPONSIBILITY

(g)(1) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction.

(2) Upon direction of the Chair, the Committee shall meet to discuss and formulate oversight plans for each new Congress, as described in clause 2(c) of rule X of the Rules of the House of Representatives.

RULE 4—SUBCOMMITTEES

APPLICATION OF HOUSE AND COMMITTEE RULES

(a)(1) As provided by clause 1(a)(2) of rule XI of the Rules of the House of Representatives, subcommittees of the committee are a part of the Committee and are subject to its authority and direction.

(2) Subcommittees of the Committee shall be subject (insofar as applicable) to the Rules of the House of Representatives and, except as provided in this rule, to the rules of the Committee.

ESTABLISHMENT AND RESPONSIBILITIES OF SUBCOMMITTEES

(b)(1) There shall be two subcommittees of the Committee as follows:

(A) *Subcommittee on the Legislative Process,* which shall have general responsibility for measures or matters related to relations between the Congress and the Executive branch.

(B) *Subcommittee on Rules of the House,* which shall have general responsibility for measures or matters related to relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House.

In addition, each such subcommittee shall have specific responsibility for such other measures or matters as the Chair refers to it.

(2) Each subcommittee of the Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matters of which is within its general responsibility.

REFERENCE OF MEASURES AND MATTERS TO SUBCOMMITTEES

(c)(1) In view of the unique procedural responsibilities of the Committee—

(A) no special order providing for the consideration of any bill or resolution shall be referred to a subcommittee of the Committee, and

(B) all other measures or matters shall be subject to consideration by the full Committee except for those measures or matters referred by the Chair to one or both subcommittees of the Committee.

(2) The Chair may refer a measure or matter, which is within the general responsibility of one of the subcommittees of the Committee, jointly or exclusively to the other subcommittee of the Committee where the Chair deems it appropriate.

(3) In referring any measure or matter to a subcommittee, the Chair may specify a date by which the subcommittee shall report thereon to the Committee.

(4) The Chair or a majority of the members of the Committee may re-call for full Committee consideration any measure or matter referred to a subcommittee of the Committee.

SUBCOMMITTEE MEMBERSHIP

(d) The size and ratio of each subcommittee shall be determined by the Committee at its organizational meeting at the beginning of each Congress. Members of the Committee shall be appointed to subcommittee by the Chair in accordance with the rules applicable to each party.

SUBCOMMITTEE LEADERSHIP

(e)(1) The majority party members of the Committee shall have the right, in order of full Committee seniority, to bid to be the chairman of one of the subcommittees of the Committee. Any such bid shall be subject to approval by secret ballot of a majority of the members of the majority party caucus of the Committee. If such members reject a member's bid to chair a subcommittee, the next most senior majority member of the Committee may bid for the chair as in the first instance.

(2) The Ranking Minority Member of the Committee shall designate one of the minority party members appointed to each subcommittee of the Committee to serve as ranking minority member for that subcommittee.

SUBCOMMITTEE MEETINGS AND HEARINGS

(f)(1) Each subcommittee of the Committee is authorized to meet, hold hearings, receive testimony, mark up legislation, and report to the full Committee on any measure or matter referred to it.

(2) No subcommittee of the Committee may, without the Chair's approval, meet or hold a hearing at the same time as a meeting or hearing of the full Committee is being held.

(3) The chair of each subcommittee shall schedule meetings and hearings of the subcommittee only after consultation with the Chair.

(4) A member of the Committee who is not a member of a particular subcommittee of the Committee may sit with the subcommittee during any of its meetings and hearings, but shall not have authority to vote, cannot be counted for a quorum, and cannot raise a point of order at the meeting or hearing.

QUORUM

(g) A quorum of each subcommittee of the Committee shall consist of a majority of the members of the subcommittee for purposes of closing a meeting or hearing of the subcommittee to the public or for ordering a measure or recommendation reported to the full Committee. For all other purposes, one-third of the members of a subcommittee shall constitute a quorum. Any vacancy in the membership of a subcommittee shall not affect the power of the remaining members to execute the functions of the subcommittee.

RECORDS

(h) Each subcommittee of the Committee shall provide the full Committee with copies of such records of votes taken in the subcommittee and such other records with respect to the subcommittee as the Chair deems necessary for the Committee to comply with all rules and regulations of the House.

RULE 5—BUDGET AND TRAVEL

BUDGET

(a) The Chair, in consultation with other members of the Committee, shall prepare for each session of Congress a budget providing amounts for staff, necessary travel, investigation, and other expenses of the Committee and its subcommittees.

TRAVEL

(b)(1) The Chair may authorize travel for any member and any staff member of the Committee in connection with activities or subject matters under the general jurisdiction of the Committee. Before such authorization is granted, there shall be submitted to the Chair in writing the following:

(A) The purpose of the travel.

(B) The dates during which the travel is to occur.

(C) The names of the States or countries to be visited and the length of time to be spent in each.

(D) The names of members and staff of the Committee for whom the authorization is sought.

(2) Members and staff of the Committee shall make a written report to the Chair on any travel they have conducted under this subsection, including a description of their itinerary, expenses, and activities, and of pertinent information gained as a result of such travel.

(3) Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Administration.

RULE 6—STAFF

IN GENERAL

(a)(1) Except as otherwise provided in this rule, a Staff Director of the Committee, professional and clerical staff of the Committee, and investigating staff of the Committee compensated from funds provided by any expense resolution, shall be appointed, and may be removed, by the Chair and shall work under the general supervision and direction of the Chair.

(2) Except for any staff appointed by the ranking minority party member of a subcommittee (pursuant to subsection (c)) or by any other minority party member of the Committee (pursuant to subsection (b)), all professional and clerical staff provided to the minority party members of the Committee under paragraphs (a)(2) and (b)(2), respectively, of clause 6 of rule XI of the Rules of the House of Representatives, shall be appointed, and may be removed, by the Ranking Minority Member of the Committee and shall work under the general supervision and direction of such Member.

ASSOCIATE STAFF

(b) Each member of the Committee is authorized to designate one person, whom the Chair shall appoint to the professional or clerical staff of the Committee and who shall work under the general supervision and direction of the member. The type of staff to which such a person is appointed shall be determined by the Chair, in the case of a person recommended by a majority party member, and shall be determined by the Ranking Minority Member of the Committee, in the case of a person recommended by a minority party member.

SUBCOMMITTEE STAFF

(c)(1) The chair and ranking minority member of each subcommittee of the Committee are each authorized to designate one person, whom the Chair shall appoint to the professional staff of the Committee and who shall work under the general supervision and direction of the chair or the ranking minority member, respectively, of the subcommittee.

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(2) The chair may assign investigating staff of the Committee compensated from funds provided by any expense resolution to assist in work of a subcommittee of the Committee to the extent the Chair determines it to be appropriate, and any such staff to the extent so assigned shall work under the general supervision and direction of the chair of the subcommittee.

COMPENSATION OF STAFF

(d)(1) Subject to paragraph (2), the Chair shall fix the compensation of all professional, clerical, and investigating staff of the Committee, as provided by clause 6(c) of rule XI of the Rules of the House of Representatives.

(2) Except upon the Chair's recommendation to the Committee, compensation paid to associate staff appointed under subsection (b) shall not exceed a maximum rate of pay per annum determined by the Committee at its organizational meeting at the start of each new Congress, except that such maximum rate of pay shall be subject to adjustment by the Chair within the term of a Congress in accordance with section 5 of the Federal Pay Comparability Act of 1970 (2 U.S.C. 60a–2).

CERTIFICATION OF STAFF

(e)(1) To the extent any staff member of the Committee or any of its subcommittees does not work under the supervision and direction of the Chair, the member of the Committee who supervises and directs the staff member's work shall file with the Staff Director of the Committee (not later than the tenth day of each month) a certification regarding the staff member's work for that member for the preceding calendar month.

(2) The certification required by paragraph (1) shall be in such form as the Chair may prescribe, shall identify each staff member by name, and shall state that the work engaged in by the staff member and the duties assigned to the staff member for the member of the Committee with respect to the month in question met the requirements of clause 6 of rule XI of the Rules of the House of Representatives.

(3) Any certification of staff of the Committee, or any of its subcommittees, made by the Chair in compliance with any provision of law or regulation shall be made (A) on the basis of the certifications filed under paragraph (1) to the extent the staff is not under the Chair's supervision and direction, and (B) on his own responsibility to the extent the staff is under the Chair's supervision and direction.

RULE 7—COMMITTEE ADMINISTRATION

REPORTING

(a) Whenever the Committee authorizes the favorable reporting of a bill or resolution from the Committee—

(1) the Chair or Acting Chair shall report it to the House or designate a member of the Committee to do so, and

(2) in the case of a bill or resolution in which the Committee has original jurisdiction, the Chair shall allow, to the extent

that the anticipated floor schedule permits, any member of the Committee a reasonable amount of time to submit views for inclusion in the Committee report on the bill or resolution.

Any such report shall contain all matters required by the Rules of the House of Representatives (or by any provision of law enacted as an exercise of the rulemaking power of the House) and such other information as the Chair deems appropriate.

RECORDS

(b)(1) There shall be a transcript made of each regular meeting and hearing of the Committee, and the transcript may be printed if the Chair decides it is appropriate or if a majority of the members of the Committee requests such printing.

(2) The minutes of each executive meeting of the Committee shall be available to all Members of the House of Representatives in compliance with clause 2(e)(2) of rule XI of the Rules of the House of Representatives.

(3) The Committee shall keep a record of all actions of the Committee and of its subcommittees. The record shall contain all information required by clause 2(e)(1) of rule XI of the Rules of the House of Representatives and shall be available for public inspection at reasonable times in the offices of the Committee.

CALENDARS

(c)(1) The Committee shall maintain a Committee Calendar, which shall include all bills, resolutions, and other matters referred to or reported by the Committee and all bills, resolutions, and other matters reported by any other Committee on which a rule has been granted or formally requested. The Calendar shall contain (A) the number, a brief description, and the name of the principal sponsoring Member of each such bill or resolution, (B) the name of the committee or committees which reported such bill or resolution (in the case of measures on which a rule has been granted or formally requested) and (C) such further information as the Chair may direct. The Calendar shall be published periodically, but in no case less often than once in each session of Congress.

(2) The staff of the Committee shall furnish each member of the Committee with a list of all bills or resolutions on which a rule has been formally requested but not yet granted. The list shall be updated each week when the House is in session and shall contain (A) the number, a brief description, and the name of the principal sponsoring Member, of each such bill or resolution, (B) the name of the committee or committees which reported such bill or resolution and the dates of such reports, (C) the date on which a rule was formally requested, and (D) a description (if any) of the rule requested by each such committee.

(3) For purposes of paragraphs (1) and (2), a rule is considered as formally requested when the chairman of a committee which has reported a bill or resolution (or a member of such committee authorized to act on the chairman's behalf) (A) has requested, in writing to the Chair, that a hearing be scheduled on a rule for the consideration of the bill or resolution, and (B) has supplied the Committee with an adequate number of copies of the bill or resolution,

as reported, together with the final printed committee report thereon.

OTHER PROCEDURES

(d) The Chair may establish such other Committee procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee and its subcommittees.

RULE 8—AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed by a vote of a majority vote of its members, but only if written notice of the proposed change has been provided to each such member at least 48 hours before the time of the meeting at which the vote on the change occurs.

Clause 3 of Rule XI of the Rules of the House of Representatives

BROADCASTING OF COMMITTEE HEARINGS

3. (a) It is the purpose of this clause to provide a means, in conformity with acceptable standards of dignity, propriety, and decorum, by which committee hearings, or committee meetings, which are open to the public may be covered, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage—

(1) for the education, enlightenment, and information of the general public, on the basis of accurate and impartial news coverage, regarding the operations, procedures, and practices of the House as a legislative and representative body and regarding the measures, public issues, and other matters before the House and its committees, the consideration thereof, and the action taken thereon; and

(2) for the development of the perspective and understanding of the general public with respect to the role and function of the House under the Constitution of the United States as an organ of the Federal Government.

(b) In addition, it is the intent of this clause that radio and television tapes and television film of any coverage under this clause shall not be used, or made available for use, as partisan political campaign material to promote or oppose the candidacy of any person for elective public office.

(c) It is, further, the intent of this clause that the general conduct of each meeting (whether of a hearing or otherwise) covered under authority of this clause, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, and the personal behavior of the committee members and staff, other Government officials and personnel, witnesses, television, radio, and press media personnel, and the general public at the hearing or other meeting shall be in strict conformity with an observance of the acceptable standards of dignity, propriety, courtesy, and decorum traditionally observed by the House in its operations and shall not be such as to—

(1) distort the objects and purposes of the hearing or other meeting or the activities of committee members in connection with that hearing or meeting or in connection with the general work of the committee or of the House; or

(2) cast discredit or dishonor on the House, the committee, or any Member or bring the House, the committee, or any Member into disrepute.

(d) The coverage of committee hearings and meetings by television broadcast, radio broadcast, or still photography is a privilege made available by the House and shall be permitted and conducted only in strict conformity with the purposes, provisions, and requirements of this clause.

(e) Whenever any hearing or meeting conducted by any committee of the House is open to the public, that committee may permit, by majority vote of the committee, that hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, but only under such written rules as the committee may adopt in accordance with the purposes, provisions, and requirements of this clause.

(f) The written rules which may be adopted by a committee under paragraph (e) of this clause shall contain provisions to the following effect:

(1) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpena by the committee shall be required against his or her will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of this rule, relating to the protection of the rights of witnesses.

(3) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The allocation among the television media of the positions of the number of television cameras permitted in a hearing or meeting room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondence' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the committee or the visibility of that witness and that member to each other.

(5) Television cameras shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by the other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) Not more than five press photographers shall be permitted to cover a hearing or meeting by still photography. In the selection of these photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If request is made by more than five of the media for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(9) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the members of the committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

The rule permitting broadcasting of committee hearings was contained in section 116(b) of the Legislative Reorganization Act of 1970 (84 Stat. 1140) and became part of the rules on January 22, 1971 (H. Res. 5, 92nd Congress, p. 144). On July 22, 1974 (H. Res. 1107, 93rd Congress, p. 24447), the rule was amended to permit committees to adopt rules allowing coverage of committee meetings as well as hearings.

II. COMMITTEE JURISDICTION AND ACTIVITIES

A. Introduction

The jurisdictional mandate of the Committee on Rules is set forth in Rule X, clause 1(q) as follows:

(q) Committee on Rules.

(1) The rules and joint rules (other than rules or joint rules relating to the Code of Official Conduct), and order of business of the House.

(2) Emergency waivers (under the Congressional Budget Act of 1974) of the required reporting date for bills and resolutions authorizing new budget authority.

(3) Recesses and final adjournments of Congress.

(4) The Committee on Rules is authorized to sit and act whether or not the House is in session.

The jurisdictional mandate of the Committee for the purposes of this explanation will be broken down into two subgroups. In practice, these subgroups are intertwined in a manner that greatly affects the way by which the House conducts its business. One subgroup, referred to here as "original jurisdiction" contains all measures pertaining to the rules of the House and joint rules. These measures are either referred directly to the Committee by the Speaker or originate in the Committee itself. They not only pertain to proposed changes in House procedure, but encompass the Committee's power to establish select committees, authorize certain investigations, conduct oversight of the budget process, and investigate matters pertaining to the legislative oversight of executive rulemaking. During the 98th Congress the Committee exercised these powers by (1) amending Rule XLIX, relating to changes in the statutory debt limit, (2) re-establishing two select committees, (3) establishing one new select committee, (4) authorizing an investigation into alleged alterations of House documents, (5) proposing changes in the budget process and (6) investigating remedies to the infirmities of congressional veto powers resulting from the *INS* v. *Chadha* decision of the Supreme Court. The Committee held 16 days of hearings on 16 of the 165 matters of original jurisdiction referred to it during the 98th Congress. Fifteen of the sixteen measures were reported to the House for consideration. In addition, the Committee held eight days of hearings regarding legislative veto and the Task Force on the Budget Process held three days of hearings to study proposals regarding the budget process.

The other subgroup of the Committee's jurisdictional mandate, referred to as special orders or "rules," is used by the Committee to direct the manner by which a bill or resolution will be considered by the House. The "rules," in the form of House resolutions, tailor the time allotted for debate and the process by which a bill can be amended. This is done to allow the House to consider the subject matter in a way which best suits the bill's individual complexity and/or controversy. These "rules" may also contain waivers of specific House rules or provisions of the Budget Act. Waiving of the House rules is necessary, in some instances, to allow the House to consider all facets of the particular issue. Rules also bring about consideration of measures in the House by priority rather than by the order which they appear on the various calendars.

During the 98th Congress, the Committee held 93 days of hearings on 202 bills, resolutions and conference reports pursuant to the 205 written requests received from Committee chairmen seeking rules. These 205 formal requests do not reflect additional requests of an emergency nature made in person by the chairmen of the various legislative committees. The Committee granted 190 rules regarding 184 bills and resolutions and six conference reports. Eleven of these 190 rules were granted in the absence of written requests.

The Committee granted 105 open rules, 26 modified open rules, 14 modified closed rules, and no closed rules. The Committee granted 45 rules classified as "other" which included rules waiving

points of order against conference reports and appropriation bills and rules providing for consideration in the House, providing for consideration of specific motions, or providing other procedures during consideration of the bill. The "rules" contained 239 provisions waiving House rules and 133 provisions waiving certain sections of the Budget Act. The House adopted 158 of the rules, rejected 3, and tabled 4. Twenty-five rules reported by the Committee remained pending on the House Calendar when Congress adjourned.

At adjournment, 27 measures for which formal requests were received had not been considered by the Committee. Even though these requests remained pending before the Committee, the House had considered 17 of the measures by means other than "rules." Five of these measures were passed by the House under suspension of the rules, five were included in other House-passed bills, five were not considered because the House had adopted a similar House or Senate bill, and two were considered by unanimous consent and passed. Actually only ten measures for which requests had been received were not considered by the House.

In addition to the full committee activities, the Subcommittee on the Legislative Process, the Subcommittee on the Rules of the House, and the Task Force on the Budget Process conducted studies concerning other matters which are under the jurisdiction of the Committee. A discussion of special orders will be followed by a review of the activities of the full committee, the task force, and the subcommittees on matters of original jurisdiction.

B. Special Orders or "Rules"

The following is taken in part from the Committee Print "A History of the Committee on Rules" (97th Congress, 2nd Session, U.S. House of Representatives) and is intended to give insight into the day-to-day activities of the Rules Committee with regard to its consideration of matters for the purpose of granting rules.

1. RULE REQUESTS

The process of considering requests for special orders or "rules" usually begins when the Committee on Rules receives a letter from a legislative committee requesting that it hold a hearing and recommend a rule on a particular measure. The letter is signed by the full committee chairman and most often makes a specific request for the type of rule desired by the legislative committee. In some cases, the emergency nature of the legislation does not allow adequate time for a formal request to be registered. In these instances, the requests are made in person by the chairman of the Committee with jurisdiction. Once a hearing has been scheduled, the Committee on Rules allows all interested Members of Congress who are proponents or opponents of the legislation a reasonable opportunity to testify. Under normal circumstances and pursuant to Committee rules, printed copies of the legislation and accompanying committee report or conference report are provided to the Committee members at least 24 hours in advance of the meeting on the rule request for the legislation.

The Committee gives written notice to its members and notifies the pertinent committee of the scheduled hearing date at least 48

hours prior to the commencement of the hearing, unless an emergency situation exists. Materials are also supplied to the Budget Committee for its examination for possible budget violations. If budget violations are present, the Budget Committee chairman sends a letter advising the Committee on Rules whether the Budget Committee objects to or supports the granting of specific waivers. The position of the Budget Committee on these matters is merely advisory in nature; the Committee on Rules has sole jurisdiction over waivers of the Budget Act.

2. HEARINGS

The Rules Committee chairman controls the order in which witnesses appear and also initiates the questioning. Typically, the chairman of the committee requesting the rule makes a short statement. He is followed by the ranking minority member. Sometimes subcommittee leaders open the discussion of the rule request.

In many cases the components of the proposed special order form the basis for the dialogue between the substantive committee leaders asking for the rule and the Rules Committee members. More often than not, the questioning escalates into discussions about the merits of the bill itself. If the legislation is particularly wide-ranging or controversial, Congressmen who do not sit on the relevant legislative committee seek to testify. (Except in the most unusual circumstances, only Members of Congress are allowed to testify during a rule request hearing.) Interrogation of each witness takes place under the five-minute rule until each Committee member has had an opportunity to question each witness. Questioning is rather informal. The Chairman rarely enforces the five-minute rule, and Committee members yield to one another to allow their Committee colleagues to make a specific point or follow up on the line of questioning.

Special orders are drafted by the House Parliamentarian, at the request of the Committee on Rules and in consultation with the committee leaders, as a means of expediting the consideration of legislation on the floor. Draft copies of the rules are generally available to Rules Committee members at the beginning of each meeting. Those drafts may be revised, particularly for controversial bills, before the Committee agrees on a final version of the rule.

A quorum, at least seven members, must be present before a recommendation on a rule can be reported out, deferred, or tabled (killed). Most decisions are made by voice vote, but any members may ask for a roll call or a division vote. Once a special rule has been reported out, the Majority Leader—working closely with the Speaker, the Rules Committee chairman, and the substantive committee chairman—decides upon an appropriate date for consideration of the rule on the floor. Rules for emergency legislation can be considered the same day they are reported if the House agrees to consideration by a two-thirds vote. After a one day layover, rules may be considered at any time without being subject to a question of consideration.

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3. TYPES OF SPECIAL ORDERS OR "RULES"

There are five basic types of special orders or "rules": 1) open, 2) modified open, 3) modified closed, 4) closed, and 5) other rules affecting procedures during consideration of a bill. The most frequently reported special order is an open rule which allows any germane amendments to be offered to the bill which do not otherwise violate House rules. Most Members prefer open rules for most legislation, but the House determines from time to time that certain bills (such as tax legislation) require restrictive rules because they are too complex and technical to be freely amended on the floor. The most restrictive type of rule is a closed rule, which prohibits the offering of any amendments to the pending measure—even those offered by the committee with jurisdiction over the bill. This type of rule is generally granted at the request of the committee of jurisdiction, which usually seeks to preclude all amendments. However, the Committee rarely grants completely closed rules; in fact, no closed rules were reported during the 98th Congress.

In recent years it has become more common for the Rules Committee to report rules that are neither purely open nor closed. These more complicated rules are usually referred to as modified open or modified closed. Modified closed rules limit the amendments in order to a pending measure to those authorized and offered by the committee with jurisdiction over the bill. Modified open rules provide that only specified amendments may be considered or provide that amendments may be offered to certain titles or sections of the measure and not to others. Generally, the Rules Committee designates the specific language that is open to amendment by reference to sections and titles or sometimes to the text of an alternative bill that may be proposed as an amendment. Modified rules have been used especially as a means for dealing with complicated legislation involving the jurisdictions of two or more committees. The Immigration Reform Bill, H.R. 1510, is a good example.

During the 98th Congress, the Rules Committee reported a rule for the consideration of H.R. 1510, the Immigration and Naturalization Act of 1984. This legislation, which was referred to four committees, was highly controversial and complex. In order to facilitate the orderly workings of the House, the Rules Committee reported a rule making in order 69 amendments, further specifying the order in which the amendments were to be considered. What made this rule most unusual is that the amendments made in order under the rules were printed in a Rules Committee print that was referenced in the reported rule. The Rules Committee print also included a table of contents of the amendments in the order in which they were to be offered and a short description of the amendment; the text of H.Res. 519, the rule reported from the Rules Committee; the text of H.R. 1510, as reported by the Committee on the Judiciary; and an index of amendments by committee or sponsor. In all the Committee print totalled 332 pages. The Committee print was a valuable guide for members to follow the proceedings and also served the purpose of providing the text of all amendments to the members before they were considered by the House.

The fifth type of rule does not contain specific provisions pertaining to amendments. They call for the waiving of specific House Rules or waiving of all points of order that might be raised against a particular bill, make in order consideration of a particular motion, or provide for consideration of legislation in the House without prior consideration in the Committee of the Whole. In all of these cases the offering of amendments is governed by the standing House rules pertaining to the particular parliamentary situation.

4. FLOOR CONSIDERATION OF THE RULE

Once a special order has been reported by the Committee on Rules, it is up to the majority leadership, working in close consultation with the committee of jurisdiction, to decide when the bill will come to the floor. Typically, at the end of each week a colloquy takes place on the floor of the House between the Majority Leader and the Minority Leader over the schedule for the following week. In addition, each majority and minority Member receives a copy of his party's whip notice on Friday, advising of the forthcoming legislative schedule.

Major bills are often scheduled for the middle of the week because items scheduled under suspension of the rules may be considered on Monday and Tuesday of each week, and on the second and fourth Mondays of each month legislation relating to the District of Columbia is eligible for consideration.

When time comes to present a rule, the majority member who filed the rule (a privileged House resolution), or another majority member of the Rules Committee designated by the chairman, is recognized by the Speaker. That Member stands at the majority committee table on the House Floor. Once recognized, the member says:

> Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution ———, and ask for its immediate consideration.

(Any member of the Committee on Rules may be recognized to call up a rule that has been on the House Calendar for at least seven legislative days, and the Speaker is required to recognize the Rules Committee member seeking recognition for that purpose as a question of the highest privilege.)

Once the Clerk has read the resolution, the Speaker recognizes the majority Rules Committee member for one hour. The majority floor manager then customarily yields thirty minutes to his minority counterpart, for the purposes of debate only, and debate on the rule is underway. The length of debate on a rule varies according to the degree of controversy over the bill or the complexity of the rule, but debate on most noncontroversial rules is over within 15 or 20 minutes, and the rule may be accepted by voice vote.

Since a rule is considered in the House under the hour rule, no amendments are in order unless the floor manager offers an amendment or yields to another Member for that purpose. At the conclusion of debate on the rule, the floor manager moves the previous question. If no objection is heard the House proceeds to a vote on the rule. If objection is heard, a vote occurs on the previous

question. If the previous question is agreed to, the House proceeds to a vote on the rule. If the previous question is rejected, however, a Member who opposed the previous question (usually the Rules Committee minority floor manager) may be recognized to offer an amendment to the rule. That Member then controls one hour of debate time on the amendment, and may move the previous question on the amendment and the rule when debate has concluded. Once the rule is adopted (with or without amendment), the legislation it concerns is eligible for consideration under the terms of the rule.

5. RULES REJECTED, TABLED, OR AMENDED BY THE HOUSE

As stated earlier, the House rejected three rules, tabled four, and twenty-five remained pending on the House calendar. The first section below details the rules rejected along with the Committee's response, the second section explains why the rules were tabled, and the third section explains why there was need to amend one rule in the House.

(a) Rules Rejected by the House

House Resolution 376, providing for the consideration of H.R. 4170, the Tax Reform Act of 1983 was rejected by the House on November 17, 1983 by a record vote of 204–214. The Committee subsequently reported House Resolution 462, providing for the consideration of H.R. 4170 to the House on March 14, 1984. House Resolution 462 was adopted on April 11, 1984, by a voice vote.

House Resolution 551, waiving certain points of order against H.R. 5973, the Interior and Related Agencies Appropriations Act for 1985, was rejected by the House on July 25, 1984, by a record vote of 148–261. In response, the Committee reported House Resolution 557, waiving certain points of order against H.R. 5973, on July 26, 1984. The House adopted the resolution by voice vote on July 31, 1984.

House Resolution 586, providing for consideration of H.J. Res. 648, Continuing Appropriations for 1985, was rejected by the House on September 20, 1984, by a record vote of 168–225. Due to the pressing nature of the Continuing Appropriation resolution, the Committee met on September 21, 1984, to consider a new rule and reported House Resolution 588 on September 24, 1984. The House adopted the resolution on September 25, 1984 by a record vote of 257–174.

(b) Rules Tabled by the House

House Resolution 221, waiving certain points of order against H.R. 3134, Commerce, Justice, State, and the Judiciary and Related Agencies Appropriations Act, 1984, was tabled by unanimous consent on October 5, 1984, H.R. 3222, which provided for the same general appropriations as H.R. 3134, was considered and adopted on September 19, 1984, by a record vote of 228–142. The House took no action on H.R. 3134.

House Resolution 247, providing for the consideration of H.R. 2760, the Intelligence Authorization Act, 1983, was tabled on July 14, 1983 by unanimous consent after the adoption of House Resolu-

tion 261. House Resolution 261 changed the guidelines for consideration of H.R. 2760. H.R. 2760 was passed by the House on July 28, 1983 by a record vote of 228–195.

House Resolution 262, providing for the consideration of H.R. 3021, the Health Care for the Unemployed Act, was tabled by unanimous consent on August 3, 1983. The House instead considered House Resolution 276, which changed the guidelines for the consideration of H.R. 3021. House Resolution 276 and H.R. 3021 were passed by the House on August 3, 1983, by record votes of 227–196 and 252–174, respectively.

House Resolution 313, providing for the consideration of H.R. 2144, the Challenge Grant Amendments of 1983, was tabled by unanimous consent on October 5, 1983. The House by unanimous consent considered and passed S. 1872, which was identical to H.R. 2144, on September 26, 1984. H.R. 2144 was tabled that same day.

(c) Rules Amended in the House

One rule, House Resolution 553, providing for consideration of H.R. 5220, the National Shipyard Protection Act of 1984, was amended in the House. On July 31, 1984, the Committee authorized Mr. Moakley to offer the amendment, which prevented a possible point of order against consideration of the bill for failure to comply with the provisions of section 401(a) of the Congressional Budget Act. The resolution and amendment were agreed to by voice vote on September 5, 1984. The amendment was necessary because at the time H.R. 5220 was considered by the Committee, it was believed that the bill did not contain new contract or borrowing authority. However, after reporting the resolution, the Committee was advised that the bill, as introduced, did in fact contain such provisions. Even though the amendment in the nature of a substitute made in order by the rule did not violate section 401(a), a point of order could still be raised against consideration of the bill.

On June 12, 1984, the Committee authorized Mr. Frost to offer an amendment to House Resolution 516 during its consideration in the House. House Resolution 516, which had been reported on June 6, 1984, provided for the consideration of H.R. 3870, a bill to restrict the sales of alcoholic beverages in interstate commerce. The amendment would have changed the required date for printing of the Howard amendment in the Congressional Record from June 6, 1984 to June 11, 1984. However, the amendment to the rule was never offered since neither the resolution nor the bill was considered.

6. WAIVERS OF HOUSE RULES

During the 98th Congress the Committee on Rules granted 239 waivers of the Rules of the House. The following compilation identifies the Rules of the House which were waived, the number of waivers granted, and the legislation containing the violation. There is also an indication of whether the House rule was waived against the bill (B), an amendment (A), a substitute (S), a motion (M), a motion to recommit with instructions (I), a conference report (CR) or a Senate bill (SB).

Rule X, cl. 1(p)—Prohibits bills containing general legislation relating to roads and provisions relating to a specific road and bills containing provisions relating to more than one specific road (1 waiver)

H. Res. 502	H.R. 5504	Surface Transportation and Uniform Relocation Assistance Act.	S

Rule XI, cl. 2(l)(3)(A)—Requires committee reports to include oversight findings and recommendations (2 waivers)

H. Res. 336	H.R. 1234	Fair Practices in Automotive Products.	B
H. Res. 595	H.R. 2848	Service Industries Commerce Development.	B

Rule XI, cl. 2(l)(5)—Requires committees to allow three days for filing of supplemental, minority or additional views to a committee report; to print the committee report in one volume; and to provide notice on the cover of the report if the report includes supplemental, minority, or additional views (1 waiver)

H. Res. 462	H.R. 4170	Tax Reform Act of 1983	B

Rule XI, cl. 2(l)(5)(B)—Requires committees to provide notice on the cover of a committee report if the report includes supplemental, minority or additional views (1 waiver)

H. Res 507	H.R. 5580	Public Health Service Act for Organ Procurement.	B

Rule XI, cl. 2(l)(6)—Requires a three-day layover of a committee report prior to consideration of legislation (10 waivers)

H. Res. 138	H.J. Res. 13	Nuclear Weapons Freeze	B
H. Res. 242	H.R. 1183	Tax Rate Equity Act	B
H. Res. 244	H.R. 3363	Appropriations—Interior and Related Agencies.	B
H. Res. 344	H.R. 4169	Omnibus Reconciliation	B
H. Res. 455	H.R. 4164	Vocational Technical Education Act of 1983.	B
H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.	B
H. Res. 594	H.R. 6023	Generalized System of Preferences Renewal.	B
H. Res. 596	H.R. 6301	Steel Import Stabilization Act.	B
H. Res. 597	H.R. 3795	Wine Equity Act	B
H. Res. 598	H.R. 5377	United States Israel Free Trade Area Act.	B

Rule XIII, cl. 3—Requires committee reports to include a comparative print of existing law and the law as amended by the legislation reported (Ramseyer Rule) (1 waiver)

H. Res. 462	H.R. 4170	Tax Reform Act of 1983	B

Rule XIII, cl. 7—Requires committee reports to include an estimate of the cost of carrying out the reported legislation and a comparison of that estimate with any estimate submitted to the committee by any government agency (1 waiver)

H. Res. 515	H.R. 3678	Water Resources Conservation.	B

Rule XVI, cl. 7—Prohibits nongermane amendments (58 waivers)

H. Res. 113	H.R. 1718	Emergency Appropriations.	A
H. Res. 138	H.J. Res. 13	Nuclear Weapons Freeze	S,A
H. Res. 154	H.R. 1437	California Wilderness Act	A
H. Res. 158	H.R. 1190	Agricultural Credit Act	S
H. Res. 196	H.R. 2990	Public Debt Limit	S
H. Res. 197	H.R. 2969	Defense Authorization Act.	S
H. Res. 209	H.R. 3069	Supplemental Appropriations.	A,A
H. Res. 242	H.R. 1183	Tax Rate Equity Act	2A
H. Res. 246	H.R. 2769	Caribbean Basin Recovery Act.	A
H. Res. 262	H.R. 3021	Health Care for the Unemployed.	S
H. Res. 276	H.R. 3021	Health Care for the Unemployed.	S
H. Res. 284	H.R. 3069	Supplemental Appropriations.	A
H. Res. 300	H.R. 2453	Broadcasting Radio to Cuba.	S
H. Res. 301	H.R. 2655	Domestic Volunteer Service Act.	S
H. Res. 309	H.R. 1010	Coal Pipeline Act	A
H. Res. 313	H.R. 2144	Amending Higher Education Act.	S
H. Res. 319	H.R. 3929	Federal Supplemental Compensation.	A
H. Res. 320	H.R. 3648	Amtrak Improvement Act.	2A
H. Res. 329	H.R. 2968	Intelligence Authorization.	A
H. Res. 336	H.R. 1234	Fair Practices in Automotive Products.	S
H. Res. 344	H.R. 4169	Omnibus Reconciliation	S
H. Res. 350	H.R. 1904	Child Abuse Amendments.	A
H. Res. 352	H.R. 2114	Maritime Programs—DOT.	A
H. Res. 355	H.R. 4196	Dairy Production Stabilization.	A
H. Res. 362	H.J. Res. 403	Further Continuing Appropriations.	5A

H. Res. 453	H.R. 1652	Amend the Reclamation Safety of Dams Act.	S
H. Res. 471	H.R. 4900	Panama Canal Authorization Act.	A
H. Res. 472	H.R. 4841	United States Coast Guard Authorization.	A
H. Res. 482	S. 373	Arctic Research and Policy Act.	S
H. Res. 494	H.R. 5167	Department of Defense Authorization.	S
H. Res. 497	H.R. 5119	International Security and Development.	S,A
H. Res. 516	H.R. 3870	Restrict Interstate Commerce of Alcohol.	S,2A
H. Res. 550	H.R. 11	Authorization for Certain Education Programs.	S,A
H. Res. 557	H.R. 5973	Appropriations—Interior	A
H. Res. 569	H.R. 3605	Drug Price Competition Act.	S,A,M
H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.	A
H. Res. 579	H.R. 3082	Wetlands Resources Act of 1983.	S
H. Res. 588	H.J. Res. 648	Continuing Appropriations.	5A
H. Res. 595	H.R. 2848	Service Industries Commerce Development.	A
H. Res. 615	H.R. 4230	Export Administration Act.	A

Rule XXI, cl. 2—Prohibits unauthorized appropriations or legislative provisions in an appropriation bill. Restricts the offering of amendments proposing limitations to an appropriation bill (35 waivers)

H. Res. 113	H.R. 1718	Emergency Appropriations.	B,4A,I
H. Res. 209	H.R. 3069	Supplemental Appropriations.	B,4A
H. Res. 210	H.R. 3132	Appropriations—Energy and Water Development.	B,A
H. Res. 211	H.R. 3133	Appropriations—Housing and Urban Development.	B,A
H. Res. 221	H.R. 3134	Appropriations—Commerce, Justice, State.	B,A
H. Res. 222	H.R. 3191	Appropriations—Treasury, Postal Service.	B,A
H. Res. 228	H.R. 3263	Appropriations—Military Construction.	B
H. Res. 238	H.R. 3329	Appropriations—Transportation and Related Agencies..	B
H. Res. 244	H.R. 3363	Appropriations—Interior and Related Agencies.	B
H. Res. 331	H.R. 3958	Appropriations—Water Resources Development.	B
H. Res. 332	H.R. 3959	Supplemental Appropriations.	B

H. Res. 501	H.R. 5653	Appropriations—Energy and Water Development.	B
H. Res. 511	H.R. 5713	Appropriations—Housing and Urban Development.	B,A
H. Res. 524	H.R. 5813	Appropriations—Transportation and Related.	B
H. Res. 532	H.R. 5898	Appropriations—Military Construction.	*B
H. Res. 533	H.R. 5899	Appropriations—District of Columbia.	*B
H. Res. 551	H.R. 5973	Appropriations—Interior and Related Agencies.	B
H. Res. 556	H.R. 5921	Appropriations—Transportation and Related.	B,A
H. Res. 557	H.R. 5973	Appropriations—Interior and Related Agencies.	B,A

* Waivers against specified line and page numbers in the bill.

Rule XXI, cl. 2(c)—Prohibits amendments containing legislative provisions to an appropriation bill. Restricts the offering of amendments proposing limitations to an appropriation bill (1 waiver)

H. Res. 113	H.R. 1718	Emergency Appropriations.	A

Rule XXI, cl. 5—Prohibits appropriations in a legislative bill. Prohibits revenue provisions in a bill not reported by a committee having jurisdiction over revenue measures (24 waivers)

H. Res. 109	H.R. 1310	Mathematics and Science Education.	S
H. Res. 142	H.R. 1983	Housing Assistance Act	B
H. Res. 158	H.R. 1190	Agricultural Credit Act of 1983.	S
H. Res. 184	H.R. 2175	Justice Assistance Act	S
H. Res. 187	H.R. 2307	Tribally Controlled Community College.	B
H. Res. 188	H.R. 2513	National Bureau of Standards.	B
H. Res. 196	H.R. 2990	Temporary Public Debt Limit.	B,S
H. Res. 197	H.R. 2969	Defense Authorization Act.	B,S
H. Res. 198	H.R. 2915	State Department and Related Agencies.	B
H. Res. 207	H.R. 1590	Food Assistance and Commodity Distribution.	S,A
H. Res. 229	H.R. 2972	Military Construction Appropriations.	B
H. Res. 239	H.R. 2912	Justice Department Authorization.	S
H. Res. 246	H.R. 2769	Caribbean Basin Economic Recovery Act.	B
H. Res. 248	H.R. 1	Housing and Urban Rural Recovery Act.	S,2A

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H. Res. 313	H.R. 2144	Challenge Grant Amendments.	S
H. Res. 354	H.R. 2900	NOAA Authorization	S
H. Res. 355	H.R. 4196	Dairy Production Stabilization.	B,M
H. Res. 376	H.R. 4170	Tax Reform Act of 1983	B

XXI, cl. 5(a)—Prohibits appropriations in a legislative bill (45 waivers)

H. Res. 126	H.R. 1900	Social Security Act Amendments.	B
H. Res. 274	H.R. 2867	Hazardous Waste Control and Enforcement.	S
H. Res. 275	H.R. 2615	Weatherization and Employment Act.	S
H. Res. 286	H.R. 1646	Railroad Retirement Solvency Act of 1983.	S
H. Res. 296	H.R. 2992	Foreign Assistance Authorization.	B
H. Res. 299	H.R. 3391	Improve Worker Training-Trade Act of 1974.	B,A
H. Res. 300	H.R. 2453	Radio Broadcasting to Cuba.	S
H. Res. 330	H.R. 3324	Close Up Foundation Grant.	B
H. Res. 351	H.R. 2751	Arts and Humanities Act	A
H. Res. 355	H.R. 4196	Dairy Production Stabilization.	A
H. Res. 365	H.R. 3020	Small Business Act	B,M
H. Res. 397	H.R. 2878	Library Services and Construction Act.	S
H. Res. 429	H.R. 2899	Environmental Research and Development Act.	S
H. Res. 447	H.R. 3050	Rural Electrification and Telephone Revolving.	B
H. Res. 453	H.R. 1652	Amend the Reclamation Safety of Dams Act.	S
H. Res. 455	H.R. 4164	Vocational Technical Education Act.	S
H. Res. 462	H.R. 4170	Tax Reform Act	S
H. Res. 472	H.R. 4841	United States Coast Guard Authorization.	B
H. Res. 481	H.R. 5172	National Bureau of Standards Authorization.	B
H. Res. 491	H.R. 4275	Federal Reclamation Hydroelectric Powerplants.	S
H. Res. 494	H.R. 5167	Department of Defense Authorization.	S
H. Res. 497	H.R. 5119	International Security and Development.	S,A
H. Res. 502	H.R. 5504	Surface Transportation and Uniform Relocation.	S
H. Res. 503	H.R. 5665	Extend the Statutory Limit on the Public Debt.	B
H. Res. 514	H.R. 4785	Amend Older Americans Act of 1965.	S
H. Res. 515	H.R. 3678	Water Resources Conservation.	S
H. Res. 517	H.R. 5151	Hunger Relief Act	S

H. Res. 519	H.R. 1510	Immigration Reform and Control Act.	S
H. Res. 522	H.R. 3282	Water Quality Renewal Act.	S
H. Res. 529	H.R. 5604	Military Construction Authorization.	B
H. Res. 534	H.R. 3987	National Archives and Records Administration.	S
H. Res. 535	H.R. 5468	Appropriations Authorization—Justice Dept.	S
H. Res. 544	H.R. 5950	Increase Contributions to National Conventions.	B
H. Res. 545	H.R. 5953	Increase the Statutory Limit on Public Debt.	B,A
H. Res. 552	H.R. 3953	Panama Canal Amendments Act of 1984.	B,A,S
H. Res. 553	H.R. 5220	National Defense Shipyard Protection Act.	S
H. Res. 560	H.R. 4567	Indian Health Care Amendments.	S
H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.	S
H. Res. 579	H.R. 3082	Wetlands Resources Act of 1983.	S

Rule XXI, cl. 5(b)—Prohibits revenue provisions in a bill not reported by a committee having jurisdiction over revenue measures (2 waivers)

H. Res. 262	H.R. 3021	Health Care for the Unemployed.	S
H. Res. 276	H.R. 3021	Health Care for the Unemployed.	S

Rule XXI, cl. 6—Prohibits reappropriations or transfers in a general appropriation bill (14 waivers)

H. Res. 113	H.R. 1718	Emergency Appropriations.	B,A,I
H. Res. 209	H.R. 3069	Supplemental Appropriations.	B
H. Res. 211	H.R. 3133	Appropriations—Housing and Urban Development.	B
H. Res. 221	H.R. 3134	Appropriations— Commerce, Justice, State.	B
H. Res. 238	H.R. 3329	Appropriations— Transportation and Related.	B
H. Res. 244	H.R. 3363	Appropriations—Interior and Related Agencies.	B
H. Res. 501	H.R. 5653	Appropriations—Energy and Water Development.	B
H. Res. 511	H.R. 5713	Appropriations—Housing and Urban Development.	B
H. Res. 524	H.R. 5813	Appropriations— Transportation and Related.	B
H. Res. 551	H.R. 5973	Appropriations—Interior and Related Agencies.	B

H. Res. 556	H.R. 5921	Appropriations— Transportation and Related.	B
H. Res. 557	H.R. 5973	Appropriations—Interior and Related Agencies.	B

Rule XXI, cl. 7—Requires relevant printed committee hearings and reports to be available for three days prior to consideration of a general appropriation bill (2 waivers)

H. Res. 113	H.R. 1718	Emergency Appropriations.	B
H. Res. 244	H.R. 3363	Appropriations—Interior and Related Agencies.	B

Rule XXVIII, cl. 2—Requires conference reports to be printed in the record and to lay over three days prior to consideration (5 waivers)

H. Res. 243	H. Con. Res. 91	First Budget Resolution	CR
H. Res. 572	H.R. 6040	Second Supplemental Appropriations.	CR*,A
H. Res. 601	H.R. 4164	Vocational Technical Education Act.	CR
H. Res. 616	H.R. 6027	Local Government Antitrust Act.	CR

*Amendment in disagreement.

Rule XXVIII, cl. 3—Prohibits conference reports to include matter outside the scope of the legislation committed to the conference committee (1 waiver)

H. Res. 479	S. 1852	Conference Report on Defense Production Act.	CR

Rule XLIX—Establishment of statutory limit on the public debt (1 waiver)*

H. Res. 144	H. Con. Res. 91	First Budget Resolution	B

*Modified the implementation of Rule XLIX.

Waiving all points of order (30 waivers)

H. Res. 222	H.R. 3191	Appropriations—Treasury, Postal Service.	A
H. Res. 286	H.R. 1646	Railroad Retirement Solvency Act.	A
H. Res. 367	H.J. Res. 413	Further Continuing Appropriations.	B,A,S
H. Res. 376	H.R. 4170	Tax Reform Act	B,10A
H. Res. 476	H. Con. Res. 280	First Concurrent Budget Resolution.	2S,6A
H. Res. 483	H.R. 5394	Reconciliation Act of 1984.	B

H. Res. 519	H.R. 1510	Immigration Reforms and Control Act.	*A
H. Res. 544	H.R. 5950	Presidential National Nominating Convention.	B
H. Res. 545	H.R. 5953	Public Debt Limit Increase.	B
H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.	M
H. Res. 598	H.R. 5377	United States Israel Free Trade Area Act.	M

*On 69 amendments contained in the Committee print that accompanied H. Res. 519.

Waiving all points of order except Rule XVI, clause 7 (4 waivers)

H. Res. 262	H.R. 3021	Health Care for the Unemployed.	I,*A
H. Res. 276	H.R. 3021	Health Care for the Unemployed.	I,*A

*The rule waived all points of order except germaneness against the motion to recommit with instructions and any amendments reported back to the House pursuant to those instructions.

7. WAIVERS OF THE BUDGET ACT

During the 98th Congress the Committee on Rules granted 132 waivers of provisions of the Budget Act. The following compilation identifies the provisions of the Budget Act which were waived, the number of waivers granted, and the legislation containing the violation. There is also an indication of whether the provision was waived against the bill (B), an amendment (A), a substitute (S), a motion to recommit with instructions (I), or a Senate bill (SB).

1303(a)—PROHIBITING CONSIDERATION OF LEGISLATION PROVIDING NEW BUDGET AUTHORITY, NEW ENTITLEMENT AUTHORITY, OR AN INCREASE OR DECREASE IN REVENUES OR THE PUBLIC DEBT FOR A FISCAL YEAR, PRIOR TO THE ADOPTION OF THE FIRST BUDGET RESOLUTION FOR THAT FISCAL YEAR. (21 WAIVERS)

H. Res. 126	H.R. 1900	Social Security Act Amendments.	B
H. Res. 501	H.R. 5653	Energy and Water Development Appropriations.	*B
H. Res. 502	H.R. 5504	Surface Transportation and Uniform Relocation.	B,S
H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.	B,S,A
H. Res. 579	H.R. 3082	Wetlands Resources Act of 1983.	S
H. Res. 586	H.J. Res. 648	Continuing Appropriations.	B
H. Res. 588	H.J. Res. 648	Continuing Appropriations.	B,3A
H. Res. 594	H.R. 6023	Generalized System of Preferences Renewal.	B,A,S
H. Res. 596	H.R. 6301	Steel Import Stabilization Act.	B
H. Res. 597	H.R. 3795	Wine Equity Act	B,A

H. Res. 598	H.R. 5377	United States Israel Free Trade Area Act.	B,A

* Blanket waiver—Against any general appropriation bill reported for FY 1985.

303(a)(1)—Prohibiting consideration of legislation providing new budget authority for a fiscal year prior to the adoption of the first budget resolution for that fiscal year. (14 waivers)

H. Res. 207	H.R. 1590	Food Assistance and Commodity Distribution.	B,A,S
H. Res. 210	H.R. 3132	Appropriations—Energy and Water Development.	B
H. Res. 211	H.R. 3133	Appropriations—Housing and Urban Development.	B,2A
H. Res. 220	H.R. 3223	Appropriations—Agriculture, Rural Development.	B
H. Res. 221	H.R. 3134	Appropriations—Commerce, Justice, State.	B,A
H. Res. 222	H.R. 3191	Appropriations—Treasury, Postal Service.	B
H. Res. 228	H.R. 3263	Appropriations—Military Construction.	B
H. Res. 238	H.R. 3329	Appropriations—Transportation and Related.	B
H. Res. 244	H.R. 3363	Appropriations—Interior and Related Agencies.	B

303(a)(4)—Prohibiting consideration of legislation providing new entitlement authority for a fiscal year prior to the adoption of the first budget resolution for that fiscal year. (13 waivers)

H. Res. 197	H.R. 2969	Defense Authorization	B,S
H. Res. 208	H.R. 2350	Public Health Service Act Extension.	B,A
H. Res. 283	H.R. 3520	Rehabilitation Act of 1973.	B
H. Res. 312	S. 602	Radio Broadcasting to Cuba.	SB
H. Res. 465	H.R. 5174	Bankruptcy Amendments of 1984.	B
H. Res. 478	H.R. 7	Child Nutrition Act	B,S
H. Res. 482	S. 373	Arctic Research and Policy Act.	SB
H. Res. 494	H.R. 5167	Defense Authorization Act.	S
H. Res. 534	H.R. 3987	National Archives and Records.	B,S

305(a)(1)—Requiring a ten-day layover of a budget resolution. (1 waiver)

H. Res. 144	H. Con. Res. 91	First Budget Resolution	B

311(a)—Prohibiting consideration of legislation which would cause the new budget authority or outlay ceilings set in the budget resolution to be exceeded or which cause the revenue floor set in the budget resolution to be breached. (12 waivers)

H. Res. 113	H.R. 1718	Emergency Appropriations.	B,3A,I
H. Res. 126	H.R. 1900	Social Security Act Amendments.	B
H. Res. 209	H.R. 3069	Supplemental Appropriations.	B
H. Res. 462	H.R. 4170	Tax Reform Act of 1984	B
H. Res. 465	H.R. 5174	Bankruptcy Amendments of 1984.	A
H. Res. 466	H.R. 3755	Social Security Disability Benefits.	S
H. Res. 481	H.R. 5172	National Bureau of Standards.	B
H. Res. 519	H.R. 1510	Immigration Reforms and Control Act.	SB

401(a)—Prohibiting consideration of legislation providing new spending authority unless such authority effective only to the extent provided for in appropriation Acts. (6 waivers)

H. Res. 455	H.R. 4164	Vocational Technical Education Act.	B,S
H. Res. 482	S. 373	Arctic Research and Policy Act.	SB
H. Res. 493	H.R. 3457	Soil Conservation Act of 1984.	B
H. Res. 514	H.R. 4785	Older Americans Act Amendments of 1984.	S
H. Res. 553	H.R. 5220	National Defense Shipyard Protection Act.	*B

* Waiver was contained in an amendment adopted on the floor.

401(b)(1)—Prohibiting consideration of legislation providing new spending authority which becomes effective prior to October 1 of the year in which it was reported. (10 waivers)

H. Res. 126	H.R. 1900	Social Security Act Amendments.	B
H. Res. 262	H.R. 3021	Health Care for the Unemployed.	S
H. Res. 276	H.R. 3021	Health Care for the Unemployed.	S
H. Res. 299	H.R. 3391	Improve Worker Training-Trade Act of 1974.	B
H. Res. 465	H.R. 5174	Bankruptcy Amendments of 1984.	A

H. Res. 466	H.R. 3755	Social Security Disability Benefits.	B,S
H. Res. 478	H.R. 7	Child Nutrition Act	S
H. Res. 481	H.R. 5172	National Bureau of Standards.	B
H. Res. 507	H.R. 5580	Public Health Service	SB

402(a)—Prohibiting consideration of legislation authorizing enactment of new budget authority not reported by May 15 preceding the start of the fiscal year in which it becomes effective. (54 waivers)

H. Res. 142	H.R. 1983	Housing Assistance Act	B
H. Res. 158	H.R. 1190	Agricultural Credit Act	B
H. Res. 198	H.R. 2915	State Department and Related Agencies.	B
H. Res. 209	H.R. 3069	Supplemental Appropriations.	B
H. Res. 247	H.R. 2760	Intelligence Authorization Act.	B
H. Res. 248	H.R. 1	Housing and Urban Rural Recovery Act.	B
H. Res. 249	H.R. 2957	International Recovery and Financial Stability.	B,SB
H. Res. 251	H.R. 2832	Multilateral Development Bank Act.	B
H. Res. 252	H.R. 2842	Export-Import Bank Act Amendments.	B
H. Res. 253	H.R. 2930	International Economic Recovery.	B,SB
H. Res. 261	H.R. 2760	Intelligence Authorization Act.	B
H. Res. 262	H.R. 3021	Health Care for the Unemployed.	B
H. Res. 276	H.R. 3021	Health Care for the Unemployed.	B
H. Res. 283	H.R. 3520	Rehabilitation Act of 1973.	B
H. Res. 296	H.R. 2992	International Security and Development.	B
H. Res. 297	H.R. 3231	Export Administration Amendments Act.	B
H. Res. 299	H.R. 3391	Improve Worker Training-Trade Act.	B
H. Res. 300	H.R. 2453	Radio Broadcasting to Cuba Act.	SB
H. Res. 302	H.R. 1036	Community Renewal Employment Act.	B
H. Res. 312	S. 602	Radio Broadcasting to Cuba Act.	B
H. Res. 320	H.R. 3648	Amtrak Improvement Act.	B
H. Res. 330	H.R. 3324	Close Up Foundation Grant.	B
H. Res. 344	H.R. 4169	Omnibus Budget Reconciliation.	B
H. Res. 353	H.R. 3323	Washington Workshop Authorization.	B
H. Res. 354	H.R. 2900	Atmospheric, Climatic and Ocean Pollution Act.	B
H. Res. 355	H.R. 4196	Dairy Production Stabilization Act.	B

H. Res. 358	H.R. 4248	Panama Canal Authorization.	B
H. Res. 364	H.R. 2755	Federal Communications Commission Authorization Act.	B
H. Res. 462	H.R. 4170	Tax Reform Act of 1984	B
H. Res. 465	H.R. 5174	Bankruptcy Amendments of 1984.	B
H. Res. 466	H.R. 3755	Social Security Disability Benefits.	B
H. Res. 469	H.R. 5154	National Aeronautics and Space Administration.	B
H. Res. 481	H.R. 5172	National Bureau of Standards Appropriations.	B
H. Res. 493	H.R. 3457	Soil Conservation Act of 1984.	B
H. Res. 497	H.R. 5119	International Security and Development.	B
H. Res. 503	H.R. 5665	Extend the Statutory Limit on the Public Debt.	B
H. Res. 515	H.R. 3678	Water Resources Conservation.	B
H. Res. 517	H.R. 5151	Hunger Relief Act	B
H. Res. 522	H.R. 3282	Water Quality Renewal Act.	B
H. Res. 526	H.R. 5680	Federal Pay Equity and Management Improvement.	B,SB
H. Res. 529	H.R. 5604	Military Construction Authorization.	B
H. Res. 536	H.R. 5602	Health Professions and Services Amendments.	B
H. Res. 550	H.R. 11	Authorization for Certain Education Programs.	B
H. Res. 552	H.R. 3953	Panama Canal Amendments Act of 1984.	B
H. Res. 559	H.R. 4444	Amend Small Reclamation Projects Act.	B
H. Res. 560	H.R. 4567	Indian Health Care Amendments.	B
H. Res. 561	H.R. 2934	Health Planning Amendments.	B
H. Res. 562	H.R. 5585	Railroad Safety Improvement Act.	B
H. Res. 579	H.R. 3082	Wetlands Resources Act of 1983.	B
H. Res. 591	H.R. 5492	Atlantic Striped Bass Conservation Act.	B
H. Res. 607	S. 2565	Human Services Reauthorization.	SB

Other waiver (2 waivers)

Section 3 of S. Con. Res. 92 (97th Congress) Point of order against any new direct loan or new loan guarantee commitment not subject to limits in an appropriation act.

H. Res. 158	H.R. 1190	Agricultural Credit Act	B,S

C. Original Jurisdiction

During the 98th Congress the Committee on Rules held 16 days of hearings on 16 of the 165 measures of original jurisdiction which were introduced and referred to the Committee or originated in the Committee. The Committee focused its attention on proposals relating to establishing select committees, authorizing certain investigations, the budget process, the legislative veto, committee and House procedures, establishing mechanisms for commemorative celebrations for the birth of Harry S Truman, and other jurisdictional matters. The full Committee reported or discharged itself from consideration of 15 original jurisdiction measures, of which 10 were adopted by the House. Four were pending consideration at adjournment, one was tabled, and none were rejected by the House. The Committee also held 8 days of hearings to examine possible solutions to problems which arose concerning the legislative veto after the Supreme Court ruling on the *INS* v. *Chadha* case (103 S. Ct. 2764 [1983]). The Task Force on the Budget Process also held 3 days of hearings on proposals affecting the congressional budget process.

Six of the original jurisdiction measures referred to the full Committee were referred to the Subcommittee on the Legislative Process during the 98th Congress. The Subcommittee held no hearings on any of these measures but conducted various studies of concern to the Committee. Thirty-nine measures were referred to the Subcommittee on Rules of the House during the 98th Congress. The Subcommittee held three days of hearings and reported three measures back to the full Committee. A summary of the activities of the Subcommittees appear later in this report.

COMMITTEE CONSIDERATION OF ORIGINAL JURISDICTION MEASURES

The following is a list of original jurisdiction measures which were considered by the Committee during the 98th Congress. The list identifies the measures by number and title and includes the action and date the action was taken by the Committee and the House.

Bill	Title	Committee action	House action
H. Res. 15	Select Committee on Hunger	Reported 11/15/83	Passed 2/22/84.
H. Res. 16	Select Committee on Children, Youth, and Families.	Reported 2/01/83	Passed 2/02/83.
H. Res. 49	Select Committee on Narcotics Abuse and Control	Reported 2/01/83	Passed 2/08/83.
H. Res. 58	Statutory Staff for the Permanent Select Committee on Intelligence.	Reported 2/23/83	Passed 3/01/83.
H. Res. 241	Amendments to Rule XLIX, relating to changes in the statuory debt limit.	Reported 6/21/83	Passed 6/23/83.
H. Res. 254	Investigation by Committee on Standards of Official Conduct.	Reported 6/29/83	Passed 6/30/83.
H. Con. Res. 91	Concurrent Resolution on the Budget, 1984	Reported 3/21/83	Passed 3/23/83.
H. Con. Res. 126	Commemoration of Harry S. Truman 100th Birthday.	Reported 6/07/83	Passed 6/30/83.
H. Con. Res. 282	Concurrent Resolution on the Budget, 1985	Reported 4/03/84	Tabled 4/05/84.
H.R. 1314	Reorganization Act Amendments of 1984	Reported 3/27/84	Passed 4/10/84.
H.R. 2970	Federal Trade Commission Reauthorization	Reported 5/12/83	No action.
H.R. 2974	Federal Trade Commission Reauthorization	Reported 5/12/83	Do.
H.R. 3231	Export Administration Amendments of 1983	Reported 7/26/83	Passed 10/27/83.
H.R. 4447	Temporary Suspension of Deportation of El Salvadoran Refugees.	Reported 10/03/84	No action.

Bill	Title	Committee action	House action
H.R. 5247	Congressional Budget Act Amendments of 1984	Reported 6/27/84	Do.
H.R. 6300	Balanced Budget Proposal	Heard testimony 10/01/84	Passed suspension 10/02/84.

1. FULL COMMITTEE

(a) Creation or extension of select committees

The Committee on Rules has jurisdiction over the creation of select committees. On October 31, 1977, the Subcommittee on Rules and Organization of the House of Representatives issued its report entitled "Guidelines for the Establishment of Select Committees." During the 98th Congress the report was updated and reprinted by the Subcommittee on the Legislative Process. The report recommended guidelines for use in reviewing proposals to create select committees and set forth a model resolution designed to assure compliance with those guidelines. The House rules provide for appointment of members of select committees by the Speaker but contain no specific guidelines regarding authority and operation of select committees. The model resolution language provides the framework for the operation of select committees as contained in clauses 1, 2, and 3 of Rule XI of the Rules of the House of Representatives. In general select committees have only those powers and functions which are established by their organic resolutions. Unless established as a permanent select committee by an amendment to the Rules of the House, select committees are temporary in nature. Without a specific termination date, the authority of a temporary select committee expires at the end of the Congress, and must be specifically reauthorized by passage of a resolution reported by the Committee on Rules to continue operation in a new Congress.

During the 98th Congress the Committee on Rules considered and reported two resolutions reauthorizing the Select Committee on Children, Youth, and Families, and the Select Committee on Narcotics Abuse and Control, and one resolution creating the Select Committee on Hunger. All of these resolutions were in conformance with the language set forth in the model resolution. In addition, the Committee reported a resolution providing for permanent professional and clerical staff of the Permanent Select Committee on Intelligence.

1. Select Committee on Children, Youth, and Families.—House Resolution 16, establishing a Select Committee on Children, Youth, and Families was introduced on January 3, 1983 by Representative Miller of California. By February 1, 1983, the resolution had received 224 cosponsors. The select committee was first established in the 97th Congress. House Resolution 421 (97th Congress, House Report 97-847), creating the select committee, was adopted by the House by voice vote on September 29, 1982. However, due to the time constraints of the lame duck session of Congress, no members were appointed to the Select Committee and no funds were authorized for its activities. The select committee was created to study the use of all practicable means and methods of encouraging the devel-

opment of public and private organizations and policies which will assist American children and youth in taking a full part in national life and becoming productive citizens. The sole function of the select committee was to study recommendations since it had no legislative jurisdiction. On February 1, 1983, House Resolution 16, to reauthorize the select committee for the 98th Congress was the subject of a hearing by the Committee on Rules. Testimony in support of the resolution was heard from Representatives George Miller of California, Barbara Mikulski of Maryland, and Lindy Boggs of Louisiana. Testimony in support of the resolution was submitted for the record by Representative Dan Marriott of Utah.

The primary purposes for establishing the Select Committee were to reduce overlap among existing programs and policies affecting children and their families and to provide a comprehensive approach to addressing the problems of the group. There was no single state or federal agency or committee charged with this task. Jurisdiction for the subject matter is shared by at least 13 of the 22 standing committees of the House. House Resolution 16 provided that the committee shall be composed of not more than 30 members and those members shall be appointed by the Speaker and that he shall designate a chairman. House Resolution 16 was reported to the House without amendment on February 1, 1983 (House Report 98–1). The resolution passed the House on February 2, 1983 by a record vote of 312 to 69. Subsequently, Mr. Miller was appointed chairman of the select committee.

2. Select Committee on Narcotics Abuse and Control.—House Resolution 49, establishing a Select Committee on Narcotics Abuse and Control, was introduced on January 31, 1983, by Representative Rangel for himself and Mr. Gilman. The select committee was first established in the 94th Congress and reauthorized in each succeeding Congress. House Resolution 1350, creating the select committee, was adopted by the House on July 29, 1976 by a record vote of 361 to 10. The select committee was continued in each succeeding Congress as follows: in the 95th Congress, House Resolution 77, adopted by unanimous consent of the House on January 11, 1977; in the 96th Congress, House Resolution 13, adopted by the House on March 21, 1979, by a record vote of 338 to 75; and in the 97th Congress, House Resolution 13 adopted by the House on February 25, 1981, by a record vote of 276 to 101. The select committee was created to study and review the problems of narcotics, drug and polydrug abuse and control in the United States, and narcotics trafficking of a national and international nature. The Select Committee possesses oversight, but not legislative, jurisdiction; functions as both a fact-finding and coordinating body; and makes recommendations to standing committees. On February 1, 1983, the Committee on Rules held a hearing on House Resolution 49, re-establishing the select committee for the 98th Congress. Testimony in support of the resolution was heard from Representatives Rangel and Gilman. House Resolution 49 is substantially the same as the previous resolution, with the exception of a provision increasing membership from 19 to 25.

The primary reason for the establishment of the select committee was to coordinate efforts to study drug abuse and trafficking in a comprehensive manner and make legislative recommendations to

standing committees with jurisdiction. Jurisdiction is shared with not less than 14 standing committees of the House and as further insight is developed into the magnitude of drug abuse, possibly all committees will become involved either directly or indirectly. The resolution provided that at least one member from each of the following standing committees should be appointed to serve on the select committee: the Committees on Agriculture, Armed Services, Government Operations, Foreign Affairs, Energy and Commerce, Judiciary, Merchant Marine and Fisheries, and Ways and Means. The Speaker was charged with making membership appointments as well as designating the chairman. House Resolution 49 was ordered reported to the House without amendment on February 7, 1983 (House Report 98–4). The resolution was called up as a privileged matter and passed the House on February 8, 1983, by a record vote of 290 to 77. Representative Rangel was appointed chairman of the select committee.

3. Select Committee on Hunger.—House Resolution 15, establishing a Select Committee on Hunger, was introduced on January 3, 1983 by Representative Gilman for himself and Mr. Leland. By November 18, 1983, the resolution had an additional 253 cosponsors. The sponsors of the resolution stated that the House lacked the capacity to conduct comprehensive oversight with respect to the prevalence of hunger and malnutrition throughout the world. The primary function of the select committee would be to coordinate efforts to address hunger and malnutrition, make recommendations based on investigative findings to standing committees with jurisdiction, and to review recommendations made by the Executive branch. On November 1, 1983, House Resolution 15, to establish a Select Committee on Hunger for the 98th Congress was the subject of a hearing before the Committee on Rules. Testimony in support of the resolution was heard from Representatives Leland and Gilmen. Testimony expressing qualified support was also submitted for the record by Representative de la Garza. A letter signed by Chairman Zablocki, Perkins, and de la Garza expressing concern over possible jurisdictional overlap was also submitted for the record. Representative Tony Hall offered an amendment in the nature of a substitute which was adopted by voice vote.

The committee amendment in the nature of a substitute was necessary in order for House Resolution 15 to conform to the model resolution appearing in "Guidelines for the Establishment of Select Committees." However, the substitute provided that clause 2(m)(1)(B) of Rule XI, which confers subpoena power on committees—would not apply to the select committee. The select committee has authority to oversee, study, and recommend, but has no legislative jurisdiction. Jurisdiction over issues relating to hunger is shared by at least eight of the 22 standing committees of the House. Membership for the select committee was not to exceed 17 members. The Speaker appointed members and also designated the chairman. House Resolution 15 was reported to the House with an amendment in the nature of a substitute on November 18, 1983 (House Report 98–568). The resolution was called up as a privileged matter and passed the House on February 22, 1984, by a record vote of 309–78. Representative Leland was appointed chairman of the select committee.

4. Permanent Select Committee on Intelligence.—House Resolution 58, providing for permanent professional and clerical staff of the Permanent Select Committee on Intelligence was introduced on February 3, 1983, by Representative Boland. The Permanent Select Committee was first established during the 95th Congress, by House Resolution 658, which created the Committee by adding Rule XLVIII to the Rules of the House. The nature of the Committee is unusual in that it possesses characteristics of both select and standing committees. Like all select committees, its membership is appointed by the Speaker and it is not allocated a permanent statutory staff. Like standing committees, it has legislative and oversight authority, including the annual intelligence authorization acts. The Committee had 22 authorized investigative staff positions during the 97th Congress. The staff was paid through the funding resolution reported from the Committee on House Administration.

The Committee on Rules met on February 23, 1983, to consider House Resolution 58. Testimony in support of the resolution was heard from Representatives Edward P. Boland and J. Kenneth Robinson. Other testimony was received from Representative Young of Florida. An amendment offered by Mr. Lott of Mississippi which would have retained the right of the minority membership of the Permanent Select Committee on Intelligence to request minority staff was rejected by a 3–7 record vote.

The Committee on Rules ordered House Resolution 58 favorably reported by voice vote, a quorum being present. The language of the Resolution contained an amendment to clause 4 of Rule XLVIII providing a statutory staff for the Permament Select Committee. The Committee would be able to hire up to 18 professional and 12 clerical staff as allowed standing committees pursuant to clause 6(a)(1) and clause 6(b)(1) of Rule XI. Remuneration for such staff would be paid out of the appropriation to the contingency fund of the House by the Legislative Branch Appropriations Act.

House Resolution 58 also provided an amendment to clause 6(a)(2) and clause 6(b)(2) of Rule XI. This amendment exempted the Permanent Select Committee on Intelligence from the requirement that one-third of the permanent staff members shall be minority staff when a majority of the minority members so request. This exemption made the staff available to the Committee on a nonpartisan basis.

House Resolution 58 was reported to the House on February 24, 1983 (House Report 98–8). The resolution was called up as a privileged matter on March 1, 1983, and was agreed to by voice vote.

(b) Amending Rule XLIX of the Rules of the House of Representatives to reflect the changes recently made in the method of establishing the statutory limit on the public debt

House Resolution 241, as reported, proposed changes in Rule XLIX to alleviate complication to debt management and congressional procedure caused by the use of combined permanent and temporary debt limits. Before House Resolution 241 was adopted, Rule XLIX of the Rules of the House of Representatives directed the enrolling clerk to prepare a joint resolution, upon adoption of a concurrent resolution on the budget which recommends a change in the limit on the national debt, to increase (or decrease) tempo-

rarily the debt limit by the amount recommended in the budget resolution. Such a joint resolution is deemed to have passed the House and is transmitted to the Senate for further legislative action. The underlying permanent debt limit is not changed under this procedure. Rule XLIX, however, did not limit the power of the House of Representatives or the Senate to consider and pass a joint resolution to change the debt limit under procedures other than those outlined above.

House Resolution 241 proposed an amendment to Rule XLIX to conform to the practice of amending the permanent limit on the national debt, rather than increasing the debt limit temporarily. This practice was established by the enactment of Public Law 98-34 (H.R. 2990) in early 1983. Prior to Public Law 98-34, the permanent debt limit stood at $400 billion while temporary increases in that limit stood at $890.2 billion for the fiscal year 1983. Public Law 98-34 permanently increased the total debt limit to $1,389 billion. Under Rule XLIX as amended by House Resolution 241, the adoption of a budget resolution recommending a change in the debt limit triggers a joint resolution amending the permanent debt limit.

On June 21, 1983, the Committee on Rules, which has jurisdiction over changes in the Rules of the House of Representatives, held a hearing on the question of amending Rule XLIX to reflect changes made by Public Law 98-34 in the method of increasing or decreasing the statutory limit on the public debt.

The Committee considered two draft proposals to amend Rule XLIX. The first proposal would have amended clause 2 of Rule XLIX, which specifies the language to be used in the joint resolution to increase or decrease the debt limit which is triggered by the enactment of a budget resolution. This amendment specified that the joint resolution would amend the permanent debt limit by striking out the dollar limitation contained in subsection (b) of section 3101 of title 31, United States Code, and insert instead a dollar limitation equal to the appropriate level of the public debt set forth pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, in a first, second, or revised concurrent resolution on the budget.

Since there may be two such appropriate levels set forth in a single concurrent resolution (revised current fiscal year and coming fiscal year) the amended version of Rule XLIX would specify that the permanent debt limit contained in subsection (b) of section 3101, title 31, United States Code, be replaced by ". . . both the limitation which is to apply for the later of the two periods (specifying the date on which that limitation is to take effect) and the limitation which is to apply for the earlier of such periods." Thus, while only one joint resolution is triggered, two different debt limits are set. The amount for the later of the two periods would be considered the statutory debt ceiling until the Code is amended further.

The resolution further amended clause 1, Rule XLIX by striking out a reference to increasing or decreasing the public debt ". . . by an amount equal to the difference between such limit and such appropriate level." This is deleted since the amended language of clause 2 would call for changing the permanent debt limit to the

"appropriate level" rather than temporarily increasing or decreasing the debt limit by the difference between the permanent level and the appropriate level.

Both draft resolutions proposed amending the rule in the manner described above, with the exception that, in the situation where a single concurrent resolution on the budget recommends different limits on the national debt for two different time periods, the second draft proposal directed that the new permanent debt limit shall be the higher of the two recommended limits. Therefore, the joint resolution would contain only one permanent debt limit increase for the two periods.

Testimony in support for amending Rule XLIX was heard from Representatives Gephardt and Conable. Mr. Gephardt supported the resolution which would allow different debt limit levels for two different fiscal years to be established by a single joint resolution. Mr. Conable urged the Committee to report the resolution which directed that only a single debt limit be established by any given joint resolution to amend the statutory debt limit. However, Mr. Conable stated that he would not object to either of the proposed resolutions.

At the close of the hearing, a motion was made that the Committee report as a privileged matter, the resolution which would amend Rule XLIX so that adoption of a concurrent resolution on the budget would trigger a single joint resolution to amend the permanent debt limit, with the possibility of establishing different levels of the debt limit for two different, consecutive fiscal years.

A substitute motion was offered to report the resolution which would require that only a single debt limit level be established by any such joint resolution. This substitute motion failed on a voice vote.

The Committee on Rules, on June 21, 1983, agreed to the first motion and ordered House Resolution 241 reported without amendment by voice vote (House Report 98-254). On June 23, 1983, the House adopted House Resolution 241 by a voice vote.

(c) Authorizing an Investigation and Inquiry by the Committee on Standards of Official Conduct

House Resolution 254 was introduced on June 29, 1983, by Representative Stokes, for himself and Mr. Spence, and referred to the Committee on Rules as a matter of original jurisdiction. The resolution authorized and directed the Committee on Standards of Official Conduct to undertake an investigation and inquiry into the improper alterations of House documents including, but not limited to, the alleged alteration of transcripts of joint hearings held July 21 and 22, 1982, before certain subcommittees of the Committee on Government Operations, the Committee on Energy and Commerce, and the Committee on Science and Technology, to review the operation of the Environmental Protection Agency. The resolution further authorized the committee to determine whether any individual had violated the Code of Official Conduct or any law, rule, regulation, other standards of conduct, or engaged in any other misconduct with respect to the events investigated.

On June 29, 1983, the Committee on Rules, which has original jurisdiction over authorizing investigations by House committees,

held one day of hearings on House Resolution 254. Chairman Stokes of the Committee on Standards of Official Conduct and Representative Spence, ranking minority member of that committee, presented testimony in support of the resolution. Representative Winn expressed concern over the ability of Members to present relevant information to the Committee on Standards of Official Conduct. Chairman Stokes assured him that the committee would welcome any information relevant to the matters under investigation. Representatives Walker, Sensenbrenner, Gregg, and Hiler expressed their desire that the scope of the investigation be broad enough to include all instances of improper alteration of transcripts. They also expressed a desire that the investigation be conducted openly and that a report of findings be issued by a date certain.

House Resolution 254 granted the Committee on Standards of Official Conduct the authority to conduct the investigation. Under clause 4(c)(1) of Rule X of the Rules of the House of Representatives, the committee is empowered to conduct an investigation of alleged violation of the Code of Official Conduct or of any law, rule, or regulation of the House applicable to the conduct of Members, officers, or employees. House Resolution 254 gave the committee a clear mandate from the House to pursue a complete investigation and inquiry of the alleged alteration of transcripts and other committee documents and to permit the establishment of special procedures to facilitate this investigation. The resolution authorized and directed the committee, after appropriate notice and hearing, to report its recommendations for any disciplinary actions it deemed appropriate and provide such other reports of the result of the inquiry not later than December 30, 1983. The resolution provided the committee the discretion of determining the scope of the inquiry and of making recommendations to the House regarding the adequacy of the existing Code of Conduct, laws, rules, and regulations, with regard to Members, officers, and employees of the House in regard to alteration of transcripts and official documents. House Resolution 254 granted the committee all powers of subpoena under Rule XI and extended this power to address the compelling of testimony or information under oath by interrogatory. The chairman and ranking minority member acting jointly or alone, or if either declines or is unable to act, the committee, was granted authority of decision as to whether the committee should exercise such power to compel by subpoena or interrogatory.

The Committee of Standards of Official Conduct, under the provisions of the resolution, was exempted from the requirements of Rule XI, clause 2(m), which allowed it to meet at any time or place within the United States whether the House was meeting, had recessed, or had adjourned. The committee was authorized to participate by special counsel appointed by the committee on behalf of the committee or the House in any judicial proceeding with regard to enforcing a subpoena. This authority was granted to the committee during its investigation of ABSCAM during the 97th Congress and was utilized to go to court to obtain protective orders to ensure that information received from the Justice Department during the investigation could not be subpoenaed by third parties. The resolution provided that the committee would not be discharged of its au-

thority after December 30, 1983, or upon its filing of the report. If further inquiry and investigation were necessary, the committee would have full authority to pursue the inquiry and investigation pursuant to the provisions of the resolution and submit additional reports if appropriate. On June 29, 1983, the Committee on Rules ordered House Resolution 254 favorably reported, with an amendment, as a privileged resolution, by voice vote (House Report 98–285). On June 30, 1983, the House adopted House Resolution 254 by a record vote of 409–0.

(d) Providing for the commemoration of the one hundredth anniversary of the Birth of Harry S Truman

House Concurrent Resolution 126, providing for the Commemoration of the 100th Anniversary of the Birth of Harry S Truman, was introduced by Representative Skelton, for himself, and Mr. Wheat, Mr. Wright, Mr. Clay, Mr. Young of Missouri, Mr. Gephardt, Mr. Coleman of Missouri, Mr. Emerson, Mr. Volkmer, Mr. Taylor, and Mr. Pepper and referred to the Committee on Rules. The concurrent resolution established a special 16-member joint committee on arrangements to provide for a joint meeting of Congress in commemoration of the centennial of the birth of Harry S Truman. The concurrent resolution provided that the composition of the joint committee would include: the president pro tempore of the Senate and the Speaker of the House; seven members of the Senate, four upon the recommendation of the majority leader, and three upon the recommendation of the minority leader; and seven members of the House appointed by the Speaker, three upon the recommendation of the minority leader.

On June 7, 1983, the Committee on Rules, which has original jurisdiction over the establishment of committees, held one day of hearings on House Concurrent Resolution 126. Representative Skelton presented testimony in support of the concurrent resolution. On June 7, 1983, the Committee on Rules ordered House Concurrent Resolution 126 favorably reported without amendment by voice vote (House Report 98–241).

House Concurrent Resolution 126 instructed the Joint Committee on Arrangements to arrange a joint meeting of Congress to be held on May 8, 1984, or on a day selected by the Speaker of the House of Representatives. The Joint Committee was directed to plan the proceedings, to issue appropriate invitations, and to coordinate its arrangements with the activities of the Truman Centennial Committee, which along with the Truman Library and the Harry S Truman Library Institute, was encouraging and coordinating a nationwide series of commemorative events. The concurrent resolution instructed the joint committee to appoint an executive director to serve without compensation and to accept additional volunteer services, to adopt rules of operation and procedure, and to sit and act at such times and places as it considered appropriate. Finally, the joint committee was authorized to spend not more than $25,000 to be paid from the contingent fund of the House of Representatives.

On June 30, 1983, the House, by voice vote, adopted House Resolution 226, the rule providing for the consideration of House Concurrent Resolution 126. The House subsequently adopted House

Concurrent Resolution 126 by a record vote of 382–5. The joint meeting of Congress commemorating the 100th anniversary of the birth of Harry S Truman was held on May 8, 1984.

(e) Temporary suspension of deportation of El Salvadoran refugees

H.R. 4447 was introduced on November 17, 1983, by Mr. Moakley and referred jointly to the Committees on Foreign Affairs, Judiciary, and Rules. H.R. 4447 proposed to address concerns over the deportation of certain El Salvadoran refugees residing illegally in the United States. The bill directed the President to investigate and report to the Congress within 18 months of enactment of this bill concerning the living conditions and available assistance for El Salvadorans displaced inside and outside their country. The President was further instructed to investigate the fate of such refugees deported from the United States. The bill instructed the appropriate committees with jurisdiction in these matters to hold hearings within two years concerning what steps should be taken to assure the personal safety and equitable distribution of assistance to displaced El Salvadorans. Finally, the bill would place a three-year moratorium on deportation of these refugees.

Rule X, clause 1(q)(1) affords the Committee on Rules exclusive jurisdiction over measures affecting the Rules of the House. While H.R. 4447 was referred to the Committee with no limitation, the Committee exercised its jurisdiction only over section 2, which affected the Rules of the House. Section 2 of the bill required that upon receipt of the report by Congress, such report will be referred to the standing committees in each House having jurisdiction over the matters contained in the report. It also required that each committee to which the report was referred must conduct oversight hearings within two years of the enactment of this bill.

The bill was referred to the Subcommittee on Rules of the House on February 1, 1984. The Subcommittee held a hearing on June 20, 1984 and received testimony from public witnesses and Administration officials. On October 3, 1984, during a full committee meeting, Mr. Moakley moved that the Subcommittee be discharged from further consideration of the bill and that the bill be favorably reported to the House with an amendment. The motion was agreed to by voice vote. The committee filed House Report 98–1142, Pt. 1, to accompany H.R. 4447. The House took no action on the bill.

(f) Congressional budget matters

(1) Concurrent Resolutions on the Budget.—In each session of the 98th Congress, the Rules Committee sought and received a sequential referral of the concurrent resolution on the budget reported from the Committee on the Budget. On March 21, 1983, the Budget Committee reported House Concurrent Resolution 91, the first concurrent resolution on the budget for fiscal year 1984. House Concurrent Resolution 91 was referred to the Rules Committee for a period ending not later than March 22, 1983. The Committee held a hearing on the concurrent resolution on March 21, 1983 and reported favorably thereon. The report (Report 98–41, Part 2) noted the Rules Committee jurisdiction over matters included in the concurrent resolution and detailed recent developments in budget enforcement procedures.

House Concurrent Resolution 91 was referred to the Committee on Rules because clause 1(q) of Rule X of the Rules of the House of Representatives vests in the Committee legislative jurisdiction over the Rules of the House, including budget enforcement procedures, and because the Committee has oversight responsibility for the operations of the Congressional Budget and Impoundment Control Act of 1974. Clause 5 of Rule X states that each bill, resolution, or other matter shall be referred by the Speaker "in such manner as to assure to the maximum extent feasible that each committee which has jurisdiction under clause 1 over the subject matter thereof will have responsibility for considering such provision and reporting to the House with respect thereto."

House Concurrent Resolution 91 contains miscellaneous provisions altering budget enforcement procedures set forth in the Congressional Budget and Impoundment Control Act of 1974. For example, the Budget Act states, in section 310, that Congress shall adopt a second budget resolution each year. The Budget Act, under section 311, also prohibits consideration of any measure that would cause the levels of budget authority, outlays or revenues set forth in the required second budget resolution to be breached. Section 5(a) of House Concurrent Resolution 91 makes adoption of a second budget resolution for fiscal year 1984 optional and creates a new point of order to protect the levels set forth in the first budget resolution for fiscal year 1984 and not the second. Specifically, section 5(a) provides that if Congress does not adopt a second budget resolution for fiscal year 1984 by October 1, 1983, then the point of order established in section 311 of the Budget Act applies to measures which would cause the levels set forth in the first budget resolution for fiscal year 1984 to be breached. Section 5(c) of House Concurrent Resolution 91 alters this budget enforcement mechanism. Under section 5(c), if a measure would not cause the allocation of discretionary new budget authority or new entitlement authority made to the committee of jurisdiction pursuant to section 302(a) of the Budget Act to be exceeded, then the measure would be exempt from the point of order established in section 5(a).

On March 31, 1984, the Budget Committee reported House Concurrent Resolution 282, the first concurrent resolution on the budget for fiscal year 1985, and authorized a committee amendment to be offered on the floor. The budget resolution again contained miscellaneous provisions affecting the rules of the House and was therefore referred to the Committee on Rules for a period ending not later than April 3, 1984. On April 3, the Rules Committee held a hearing on House Concurrent Resolution 282 and reported favorably thereon (House Report 98-645, Part 2). House Concurrent Resolution 280, which embodied the substance (including the miscellaneous provisions) of House Concurrent Resolution 282 as amended by the amendment adopted by the Budget Committee, was passed in the House on April 5, 1984. House Concurrent Resolution 282 was laid on the table.

In its report (House Report 98-645, Part 2) the Rules Committee discussed specific provisions contained in House Concurrent Resolution 282, including section 6 under which spending from certain trust funds would be "disregarded" in determining whether the point of order established in section 5 of House Concurrent Resolu-

tion 282 applies. The Committee also outlined the history of provisions contained in budget resolutions which affect the rules of the House and alter budget enforcement procedures. The Committee noted that the practice of including procedural changes in a budget resolution weakens the Congressional Budget Act of 1974 and blunts the tools provided therein by which Congress enforces spending and revenue levels set forth in its budget resolutions.

The sequential referral of budget resolutions containing provisions affecting the rules of the House is not simply an assertion of the Committee's jurisdiction. For two reasons, the Rules Committee is uniquely situated to guarantee full and careful review of such provisions. First, the Committee works with all the other committees of the House on an on-going basis and the Committee's practice is to ensure that all Members and committees of the House have an opportunity to participate in the Committee's hearings and considerations. When the Rules Committee established its Task Force on the Budget Process, members from each of the committees affected by the budget process were invited to serve on the task force. Second, the Committee is acutely aware of its responsibility in enforcing or waiving provisions altering budget enforcement procedures. The Rules Committee has the institutional responsibility to carefully consider "special orders" waiving points of order against legislation that would violate provisions of the Budget Act or miscellaneous provisions in budget resolutions. Review by the Rules Committee also strengthens budget enforcement. If the Committee carefully considers a new budget procedure or new application of existing procedures, the Rules Committee is less likely to grant waivers for violations of those procedures.

2. Balanced Budget Proposal.—H.R. 6300 required the President to transmit a balanced budget to Congress each year and required the Budget Committees in each House to report a balanced budget resolution each year. H.R. 6300 was referred to the Rules Committee and the Government Operations Committee. The Rules Committee held a hearing on H.R. 6300 on October 1, 1984. H.R. 6300 was passed in the House, the rules suspended, on October 2, 1984. In the Senate the bill was referred to the Governmental Affairs Committee on October 3, 1984, but no further action was taken during the 98th Congress.

3. Congressional Budget Act Amendments of 1984.—On May 23, 1984, the Rules Committee held a public hearing on H.R. 5247, the Congressional Budget Act Amendments of 1984. H.R. 5247 embodies the recommendations of the Rules Committee task force on the budget process. The bill would accelerate the timetable for congressional budget decisions, streamline the process by requiring Congress to adopt only one budget resolution each year, make the budget resolution more representative of the full range of Federal fiscal activities, and strenthen the system of controls by which Congress enforces its budget resolutions. The Committee heard the testimony of Representatives Beilenson, Bonior, Brooks, Fascell, Frenzel, Jones of Oklahoma, Mineta, Panetta, Penny and Regula. Representatives de la Garza, Dingell, Fuqua, Horton, and Mitchell submitted testimony for the record.

On June 27, 1984, the Rules Committee marked up H.R. 5247. The Committee adopted 13 amendments. In the Rules Committee

report (House Report 98-1152, Part 1) the 13 amendments are explained. The principal purposes and the provisions of H.R. 5247 as amended are also explained in the report.

4. Task Force on the Budget Process.—On January 26, 1983, Chairman Pepper announced the appointment, for the 98th Congress, of the Rules Committee Task Force on the Budget Process. Representative Anthony C. Beilenson agreed to continue to serve as the chairman of the task force as he had done since the task force was created in the 97th Congress. On March 30, 1982, Representative Richard Bolling, then chairman of the Rules Committee, announced the creation of the Rules Committee task force to investigate the problems stemming from the congressional budget process.

In the 98th Congress, the task force's charge was to complete it's investigation, to review comprehensive proposals for improving the congressional budget process, and to report its recommendation to the full Committee on Rules. The task force consisted of six voting members from the Rules Committee (Representatives Beilenson, Frost, Bonior, Hall, Latta and Lott) and 19 advisory members representing other committees involved in the budget process (Representatives Whitten, Zablocki, Jones of Oklahoma, Panetta, Gephardt, Aspin, Roe, Murtha, Dicks, Swift, Penny, Frenzel, Regula, Loeffler, Cheney, Pursell, Morrison, Gregg, and Daub). The number of advisory members on the task force grew from nine, in the 97th Congress, to 19 in the 98th Congress. The Chairman and ranking minority member of the Rules Committee served as ex officio members of the task force.

In the 98th Congress, the task force met for 21 work sessions and held three days of public hearings. From February through April 1983, the task force met for eight work sessions. In those sessions, the task force reviewed the work it completed in the 97th Congress and discussed the following specific elements in the budget process: the development of a budget resolution (including the role of economic and technical assumptions), scorekeeping and enforcement of levels set in a budget resolution, tax expenditures, credit activities, off-budget spending, capital investment budgeting, the roles of the authorizing and Appropriations committees, and the congressional timetable for budget decisions. The Rules Committee has printed the work session presentations as a committee print ("Issue Presentations Before the Rules Committee Task Force on the Budget Process, prepared by the Committee on Rules, U.S. House of Representatives," 98th Congress, 2nd Session, October 1984).

On April 29, a public hearing was held. The task force heard the testimony of witnesses from the AFL-CIO, the Center on Budget and Policy Priorities, the U.S. Chamber of Commerce, the Committee for Economic Development, the Committee for a Responsible Federal Budget and the National Association of Manufacturers. The task force also heard from John Ellwood, currently Associate Professor, Dartmouth College and formerly Special Assistant to the Director, Congressional Budget Office, and from Charles Knerr, Associate Professor, University of Texas at Arlington. The Rules Committee printed the hearing record as a committee print ("Congressional Budget Process, Hearing before the Task Force on the

Budget Process of the Committee on Rules, House of Representatives," 98th Congress, 2nd Session, April 29, 1983).

The task force met for seven work sessions in May and June 1983 to review comprehensive proposals to change the congressional budget process. The target approach, which was based on H.R. 2777, introduced by Representatives Dingell, Perkins, St. Germain, Howard, and Ford, was the first proposal to be considered. This approach calls for two budget resolutions a year, the first to set targets and the second to reconcile all spending and revenue decisions made in the year with the levels of total spending and revenue set forth in the second budget resolution. The task force then considered the single binding budget resolution approach based on H.R. 2025, introduced by Representative Mineta. This approach calls for one binding budget resolution adopted in the spring and followed by spending and revenue legislation implementing the plan set out in the budget resolution. The task force then took up the comprehensive budget bill approach, based on H.Res. 602, introduced by Representative Obey. This approach requires that all decisions on spending and revenue as well as decisions about overall budget levels shall be made in one legislative package. All annual appropriations, any entitlement changes, and any revenue increases or decreases would be made in the same legislative package with a budget plan overall spending, revenue levels and the resulting deficit or surplus. The task force also considered biennial budgeting, based on H.R. 750, introduced by Representative Panetta.

The task force met twice in July 1983 to reach agreement on the general principles for budget process reform. These general principles included accelerating the timetable for congressional budget decisions, treating Federal credit activities and tax expenditures in a manner more consistent with the treatment of other Federal spending, and supporting the unified budget concept by placing on-budget several Federal entities currently excluded or scheduled to be excluded from the unified budget by law. In September 1983, two proposals were outlined and circulated for review among task force members. These proposals followed, respectively, the single binding budget resolution approach and the comprehensive budget bill approach. Both outlines were based on the general principles agreed to in the July meetings. The task force met four times in October and November 1983 to discuss the two proposal outlines.

In January 1984, at the start of the second session of the 98th Congress, the task force circulated discussion drafts of two bills based on the two proposal outlines. The Rules Committee printed the discussion drafts of the single budget resolution approach and the comprehensive budget bill approach, along with the two proposal outlines, in one committee print ("Discussion Drafts, Proposals to Improve the Congressional Budget Process, prepared by the Task Force on the Budget Process of the Committee on Rules, U.S. House of Representatives," 98th Congress, 2nd Session, January 1984).

On February 8 and 9, 1984, the task force held a public hearing on its two proposals to improve the congressional budget process. The task force heard the testimony of Representatives Conte, Gradison, Mineta and Obey. The task force also heard from Mr. Harry Havens, the Assistant Comptroller General; Mr. Rudolph

Penner, Director, Congressional Budget Office; Mr. Elmer Staats, Chairman, Subcommittee on Budget Concepts and Processes, Committee for Economic Development; Mr. Allen Schick, Professor, University of Maryland; and the Honorable Richard Bolling, co-Director, Committee for a Responsible Federal Budget. The task force received statements for inclusion in the hearing record from Representatives Dellums, Dingell, Price, Rostenkowski and Snyder and Senators Domenici, Ford and Mathias. The Rules Committee printed the hearing record as a committee print ("Congressional Budget Process, Hearing before the Task Force on the Budget Process of the Committee on Rules, House of Representatives," 98th Congress, 2nd Session, February 8 and 9, 1984).

On March 14, 1984 the task force agreed, by voice vote, to submit to the full Committee on Rules its recommendations on budget process reform based on the single binding budget resolution approach. Representative Beilenson, the chairman of the task force, introduced, H.R. 5247 which embodied the recommendations of the task force H.R. 5247 was referred jointly to the Rules Committee and the Government Operations Committee. The Rules Committee printed the report of the task force as a committee print ("Report of the Task Force on the Budget Process of the Committee on Rules, House of Representatives," 98th Congress, 2nd Session, May 1984).

(g) Legislative veto

On June 23, 1983, the Supreme Court in *Immigration and Naturalization Service* v. *Chadha* issued an extraordinarily broad decision that ruled the legislative veto unconstitutional. As Justice White noted in his dissenting opinion, the decision struck down in "one fell swoop provisions in more laws enacted by Congress than the Court has cumulatively invalidated in its history." The *Chadha* decision found the legislative veto unconstitutional and thus invalidated some 320 legislative veto provisions contained in about 210 laws enacted since 1932. As a result of this sweeping decision, 17 Committee Chairmen wrote to Chairman Claude Pepper requesting that the Committee on Rules provide a forum to analyze the complex institutional issues which have developed as a result of the *Chadha* decision.

In response, the Committee held a series of hearings to examine the impact of the decision on the authorization and appropriation process, the judicial process, the administrative process as well as the impact of expedited procedures on House operations.

The legislative veto is a statutory device designed to permit Congress a mechanism for approval or disapproval of certain executive branch actions. Under such a statute one or both Houses of Congress or even a Committee may approve or disapprove an action of the President or an administrative agency under authority delegated by the statute. Prior to the *Chadha* decision most legislative vetoes were exercised in the form of concurrent or simple resolutions which do not require the President's signature and thus did not afford an opportunity to veto the congressional action.

Chief Justice Burger's majority opinion in *INS* v. *Chadha* held that the one House congressional veto violated the bicameral and presentment provisions of the Constitution. The Court's fundamen-

tal argument in *Chadha* was that the legislative veto was "essentially legislative in purpose and effect" and that all such legislative actions had to be approved by both Chambers and presented to the President for his signature or veto as are all public and private bills and joint resolutions (except joint resolutions proposing constitutional amendments.) Although the Court's ruling dealt only with the one and two House congressional veto, it appeared to invalidate all forms of congressional vetoes.

Although the legislative veto acquired a reputation as a congressional usurpation of executive duties, it initally seemed to advantage the President. The congressional veto was first employed in the Legislative Branch Appropriations Act of 1932 (47 Stat. 413) to grant President Hoover the authority to reorganize executive departments and agencies subject to a congressional veto provision allowing either House of Congress to disapprove any reorganization proposal before it went into effect. Under this statute the President was not required to secure the affirmative support of both Houses of Congress, as would have been necessary through the regular legislative process. Instead, the burden was placed on Congress to veto his initiative. To prevent his proposals from being buried in committee, filibustered or changed by the Congress, each reorganization plan was moved through the review process through expedited procedures for discharging committees, limiting congressional debate, and prohibiting committee or floor amendments.

Over the years the executive branch became increasingly apprehensive over action by the Congress to attach legislative veto provisions to a variety of statutes involving such issues as lend lease, immigration, public works, energy policy, impoundment of funds, federal salaries, foreign trade, and war powers. As part of the reassertion of its legislative power in the 1970s, legislative vetoes proliferated, and the Congress was on the verge of subjecting every federal regulation to some form of legislative veto.

During the Committee hearings on the implications of the *Chadha* decision it was suggested that all Congress has to do is to be more guarded in making statutory delegations. It was also implied that the Congress has readily available resources in exercising more control over the implementation of certain statutes, i.e., its substantial authority through the authorization process, the appropriations process, the Senate power over presidential appointments and treaties, the oversight process, the power to alter the standards of judicial review, and its ultimate power to impeach executive branch officials. There is now, as there has always been, an ample supply of effective weapons available in the legislative arsenal. The difficult questions remain in the effort to determine which weapon or combination of them is appropriate to a particular set of circumstances.

While the Congress has not developed an institutional remedy to the unconstitutional legislative veto in response to the Supreme Court decision, congressional review procedures enacted subsequent to *Chadha* have been in the form of joint resolutions of approval which satisfy the presentment arguments made by the Court.

As in the past, the congressional response will be shaped by decades of habit, the practicalities of the legislative process, and the exigencies of the moment. *Chadha* complicated matters by its

abrupt and unexpected creation of potential power vacuums in a multitude of fragile policy areas. Interbranch policy disputes over the commitment of armed forces to a variety of hotspots around the globe, the management of the public lands, and containment of budget deficits may be viewed as crises-in-waiting. Past procedures for accommodation in these and other areas, put assunder by *Chadha*, are now legally unavailable to temper or avoid serious conflicts. The challenge for Congress in the immediate future is to fill those voids expeditiously and in a manner that facilitates the effective functioning of the legislative and administrative decision-making processes.

The Committee on Rules held hearings on the institutional response to the *Chadha* decision on November 9 and 10, 1983; February 23 and 29, 1984; March 1, 21, and 22, 1984; and May 10, 1984. Following is a list of the individuals who testified at these hearings.

Wednesday, November 9, 1983

Opening statement of Hon. Claude Pepper, Chairman, Committee on Rules.

Statement of:

Dingel, Hon. John D., a Representative in Congress from the State of Michigan.

Florio, Hon. James J., a Representative in Congress from the State of New Jersey.

Grassley, Hon. Charles E., a United States Senator from the State of Iowa.

Levin, Hon. Carl, a United States Senator from the State of Michigan.

Lott, Hon. Trent, a Representative in Congress from the State of Mississippi.

Moakley, Hon. John Joseph, a Representative in Congress from the State of Massachusetts.

Thursday, November 10, 1983

Statement of:

Cooper, Joseph, dean of social sciences, Rice University.

Fisher, Louis, Congressional Research Service Library of Congress.

Jones, Charles O., Department of Political Science, University of Virginia.

Levitas, Hon. Elliott H., a Representative in Congress from the State of Georgia.

Ogul, Morris S., Chairman, Department of Political Science, University of Pittsburgh.

Ornstein, Norman J., American Enterprise Institute of Public Policy Research.

Udall, Hon. Morris K., a Representative in Congress from the State of Arizona.

Thursday, February 23, 1984

Opening statement of Hon. Claude Pepper, Chairman, Committee on Rules.

Statement of:

Barry, Hon. Marion, Jr., Mayor, District of Columbia.
Brooks, Hon. Jack, a Representative in Congress from the State of Texas.
Fascell, Hon. Dante B., a Representative in Congress from the State of Florida.
Fish, Hon. Hamilton, Jr., a Representative in Congress from the State of New York.
Horton, Hon. Frank, a Representative in Congress from the State of New York.
Scanlon, Terrence M., Vice Chairman, U.S. Consumer Product Safety Commission.

Wednesday, February 29, 1984

Statement of:
Broyhill, Hon. James T., a Representative in Congress from the State of North Carolina.
Conte, Hon. Silvio O., a Representative in Congress from the State of Massachusetts.
Jones, Hon. James R., a Representative in Congress from the State of Oklahoma.
Maass, Arthur, professor of government, Harvard University.
Schick, Allen, professor, University of Maryland.

Thursday, March 1, 1984

Statement of:
Bolling, Hon. Richard, former Representative in Congress from the State of Missouri.
Chiles, Hon. Lawton, a United States Senator from the State of Florida.
Penny, Hon. Timothy J., a Representative in Congress from the State of Minnesota.
Socolar, Milton J., Special Assistant to the Comptroller General.
Steorts, Nancy Harvey, Chairman, U.S. Consumer Product Safety Commission.

Wednesday, March 21, 1984

Opening statement of Hon. John Moakley, a member of the Committee on Rules.
Statement of:
Bruff, Harold H., professor, University of Texas Law School.
Hall, Hon. Sam B., Jr., a Representative in Congress from the State of Texas.
Kindness, Hon. Thomas N., a Representative in Congress from the State of Ohio.
Mikva, Hon. Abner J., judge, U.S. Circuit Court of Appeals.

Thursday, March 22, 1984

Opening statement of Hon. Claude Pepper, Chairman, Committee on Rules.
Statement of:
Bach, Stanley, Congressional Research Service.
Davidson, Roger H., Congressional Research Service.
Fisher, Louis, Congressional Research Service.

Kravitz, Walter, retired member of the Congressional Research Service.

Levitas, Hon. Elliott H., a Representative in Congress from the State of Georgia.

Moakley, Hon. John Joseph, a Representative in Congress from the State of Massachusetts.

Thursday, May 10, 1984

Opening statement of Hon. Claude Pepper, Chairman, Committee on Rules.

Statement of:

Craig, Barbara Hinkson, assistant professor of government, Wesleyan University.

Demuth, Christopher C., Administrator for Information and Regulatory Affairs, Office of Management and Budget.

Douglas, George W., Commissioner, Federal Trade Commission.

Gilmour, Robert S., professor of political science, University of Connecticut.

Leighton, Richard J., Esq., Representative, U.S. Chamber of Commerce.

Newland, Chester A., professor of public administration, University of Southern California.

Norville, Mary Jane, legislative representative, National Federation of Independent Business.

Olson, Hon. Theodore B., Assistant Attorney General, Office of Legal Counsel, Department of Justice.

Strauss, Peter L., professor of law, Columbia University.

Sunstein, Cass R., assistant professor of law and political science, University of Chicago.

In addition to the Committee hearings on an institutional response to the Supreme Court decision in *INS* v. *Chadha*, the Committee on Rules also considered several bills which contained provisions relating to congressional review of agency rules and other provisions relating to legislative vetoes of executive branch actions. The Committee on Rules shares jurisdiction with the Committee on the Judiciary over legislative veto bills which contain rules of the House and are applicable to federal agency rulemaking generically. In the case of legislative veto bills, applicable to specific agencies or programs, the jurisdiction of the Committee on Rules is shared with the standing committee or committees of the House having responsibility for measures relating to the agency or program in question. While most of these bills were referred to the Committee on Rules without limitation, the Committee properly asserted jurisdiction only over the provisions relating to Rules of the House and the procedure for congressional review of executive agency actions.

1. Federal Trade Commission Authorization Act of 1983.—Since 1975 authorizations for the Federal Trade Commission have traditionally encountered serious difficulties because of controversy over a "legislative veto" provision applicable to FTC rule making and other limitations on FTC activities and authority which have been contained in the legislation. A legislative veto was enacted in 1980 as part of a three year authorization. The veto and some other restrictions expired with the 1980 Act on September 30, 1982 but

were continued through September 30, 1983 by the fiscal year 1983 continuing appropriation. As a result, there was a substantial concern over the need to enact a new authorization.

H.R. 2970 was introduced by Representative Florio on May 11, 1983 as a bi-partisan compromise on most FTC issues and H.R. 2974 was introduced by Representative Moakley on the same day. H.R. 2970 contained a three year authorization for the Federal Trade Commission and made numerous changes in law relating to agency authorities, practice, and procedures. Most of these changes were in the form of permanent amendments to the Federal Trade Act. Section 9 of H.R. 2970 would have enacted the temporary legislative veto applicable to FTC rules into permanent law. Section 9 provided that after promulgating a final rule, the Commission would be required to submit that rule to the Congress for review. The rule would become final unless (1) a concurrent resolution of disapproval was introduced within 35 calendar days of continuous session of Congress and (2) the Congress adopted a concurrent resolution disapproving the final rule before the end of the period of 90 calendar days of continuous session after the rule was submitted to Congress. Section 9 also provided rules of the House setting forth expedited procedures for consideration of the disapproval resolution. Under both bills FTC rules would be subject to disapproval by concurrent resolutions, which would be privileged and subject to discharge by one-fifth of the members voting. H.R. 2974 proposed a free-standing veto which would have expired at the end of fiscal year 1984.

On May 12, 1983 the Committee on Rules held a hearing on H.R. 2970 and H.R. 2974. Testimony was heard from Representatives Levitas and Broyhill and a statement for the record was submitted by Representative Moakley. By voice vote the Committee ordered H.R. 2970 reported without recommendation. The report was filed on May 16, 1984 (House Report 98–156, Part 2). By voice vote, the committee ordered H.R. 2974 reported favorably, after rejecting by a voice vote a motion to postpone, without prejudice, further consideration. No amendments were offered to either bill. The report on H.R. 2974 was filed on May 16, 1984 (House Report 98–157, Part 1).

The specific temporary legislative veto provision proposed to be enacted into permanent law (section 21 of the Federal Trade Commission Improvements Act of 1980 (15 U.S.C. 57a–1)) has been determined to be unconstitutional by the federal court. The Committee considered the approach recommended by H.R. 2970 as inappropriate and recommended against enacting a legislative veto, applicable to the Federal Trade Commission, into permanent law. In reporting H.R. 2974 the Committee did not abandon the constitutional reservations it expressed in reporting on the same matter in the 97th Congress. The Committee's reservations regarding the constitutionality of the FTC legislative veto were subsequently confirmed by the decision of the U.S. Court of Appeals and the U.S. Supreme Court in *INS* v. *Chadha*. In fact the legislative veto contained in the Federal Trade Commission Improvements Act of 1980, Public Law No. 96–252 was cited in Justice White's dissenting opinion to the *Chadha* case as one of the statutory vetoes invalidated by the Court's decision.

Neither H.R. 2970 nor H.R. 2974 were considered by the House during the 98th Congress.

2. Export Administration Act Amendments of 1983.—H.R. 3231, to amend the authorities contained in the Export Administration Act of 1979, was introduced on June 6, 1983, by Representative Bonker, et al. The bill was referred to the Committee on Foreign Affairs and reported by the same on June 22, 1983. On that date, the bill as sequentially referred for a period ending on July 22, 1983, to the Committees on Armed Services; Banking, Finance and Urban Affairs; and the Judiciary. On July 12, 1983, the Committee on Rules received a sequential referral of the bill in order to examine certain portions of section 113(c) which fall within the Committee's jurisdiction. The Committee subsequently received an extension of an additional period ending July 26, 1983. The Committee on Armed Services, reported the bill with an amendment on July 22, 1983. Also, on that date, the Committees on Banking, Finance and Urban Affairs and the Judiciary were discharged from further consideration of the bill. The Committee on Rules' action is discussed in detail in the following summation.

H.R. 3231 extended and authorized funds to implement the Export Administration Act of 1979 and revised procedures for administering controls on U.S. exports under the Act for national security, foreign policy and short supply purposes. The Committee on Foreign Affairs reported the bill on June 22, 1983, one day before the Supreme Court declared the legislative veto unconstitutional in the case of *Immigration and Naturalization Service* v. *Chadha.* The appendix to Justice White's dissent specifically listed two provisions of the Export Administration Act of 1979 as containing legislative vetoes which fall within the scope of the Court's ruling: Section 7(d)(B) which prohibited exports of domestically produced Alaska crude oil unless the President made certain findings and reported to Congress and Congress, within 60 days, passed a concurrent resolution of approval; and Section 7(g)(3) which provided that action by the Secretary of Commerce to prohibit or curtail export of agricultural commodities could be disapproved by concurrent resolution.

The bill also contained legislative veto provisions relating to U.S. policy toward South Africa. Title III of the bill set forth principles for endorsement and implementation of fair labor standards for U.S. firms operating in South Africa with more than 20 employees and provided a legislative veto mechanism to waive implementation of labor standards under certain conditions. A waiver could take effect 30 legislative days after being submitted to Congress unless both Houses adopted a concurrent resolution of disappoval.

In view of the Court's determination that the legislative veto did not follow the constitutionally prescribed law-making process: bicameral consideration and presentation to the President for his signature or veto, modifications were necessary to congressional review provisions of the Export Administration Act of 1979 which had not been corrected by the Foreign Affairs Committee's report on H.R. 3231. It is important to note that the Committee on Foreign Affairs cured the constitutional problems with the agricultural commodities legislative veto provision in section 119 of the bill.

As a result of the infirmities with the legislative veto in the bill, the Committee on Rules requested sequential referral of H.R. 3231. On July 12, 1983, the Committee on Rules received a sequential referral of the bill for consideration of section 113(c). That section required the President to seek special legislative authorization for the imposition of foreign policy controls and contained two provisions which the Committee viewed as rules of the House: (1) the provision designating the committee of the House which would receive referral of a joint resolution introduced pursuant to such a request and (2) the provision which would provide for the automatic discharge of such resolutions.

On July 20, 1983 the Subcommittee on Rules of the House considered and reported the bill to the full committee by voice vote and without amendments. Testimony was heard from Representatives Bonker, Solarz, and Young of Alaska. Representative Wolpe and Roth submitted letters which were included in the hearing record.

The subcommittee report was considered by the full committee on July 21, 1983 and the bill was ordered reported by voice vote. The report was filed on July 26, 1983, House Report 98-257, Part 3.

On July 28, 1983 the Committee on Foreign Affairs endorsed a substitute for H.R. 3231 which conformed the legislative veto provisons in the bill and the organic Act to the Supreme Court decision by changing the concurrent resolution review mechanisms to joint resolutions. On August 2, 1983, the Committee on Rules granted an open rule providing for consideration of the text of that substitute, H.R. 3646, as the primary vehicle for amendment of the bill on the floor.

On October 1, 1983, H.R. 3962, providing a temporary extension of the export authorities until October 14, 1983 was enacted into law, P.L. 98-108. H.R. 3231 was passed by the House on October 27, 1983 but was never considered by the Senate.

3. Reorganization Act Amendments of 1984.—H.R. 1314 was introduced on February 8, 1983, by Mr. Brooks, for himself and Mr. Horton and was referred jointly to the Committees on Government Operations and Rules. H.R. 1314, as reported, proposed to remedy the constitutional infirmities relating to the legislative veto of reorganization plans in the executive agencies. These infirmities were brought about by the June 23, 1983, Supreme Court decision in *INS* v. *Chadha.* The bill also would extend the authority of reorganization which expired April 7, 1981, to December 31, 1984. Without specific reorganization authority, the President must follow the normal legislative process to reorganize or alter authority or function of executive agencies. H.R. 1314 changed the one-house veto provision which allowed a simple resolution disapproving a reorganization plan to a provision requiring affirmative action by passage of a joint resolution of approval by both Houses which would be signed by the President before a reorganization plan could go into effect. Previously, under the Reorganization Act of 1977, reorganizations would become effective within 60 calendar days of continuous session, unless either House of Congress passed a simple resolution of disapproval. The bill assured that a plan would take effect only if, within 90 days, both Houses pass a joint resolution of approval and the President signed the legislation into law.

H.R. 1314 extended the time for committee action on a joint resolution from 45 days to 75 days. If the joint resolution is not reported by the committee within 75 days, the committee would automatically be discharged and the joint resolution placed on the appropriate House calendar. The bill also extended the period for presidential amendment to the proposal from 30 to 60 days and the period for withdrawal of the proposal from 60 to 90 days. The bill changed the President's authority to submit reorganization plans. He would be prohibited from renaming an executive department or creating any new agency outside an existing department or independent agency by means of reorganization.

On April 7, 1983, Chairman Pepper referred the bill to the Subcommittee on Rules of the House. The Subcommittee held hearings on March 22, 1984, at which time Representative Jack Brooks, chairman of the Committee on Government Operations and Representative Frank Horton, ranking minority member of the same committee, presented testimony in support of the bill. The Subcommittee adopted three amendments. The first amended the short title to conform to the expected year of enactment. The second amended existing law to clarify that the rules of the House and Senate, contained in existing law, as modified by the bill, are subject to the same sunset as the other provisions of the chapter. The third made changes in parliamentary terms in existing law to conform to a change otherwise provided in the bill from simple resolutions of disapproval with respect to reorganization plans to joint resolutions of approval. The Subcommittee ordered the bill forwarded to the full Committee.

On March 27, 1984, the Committee on Rules held one day of hearings on H.R. 1314. Testimony was heard from Representative Moakley, chairman of the Subcommittee on Rules of the House. The Committee considered an amendment in the nature of a substitute which incorporated all amendments previously adopted by the Committee on Government Operations; the three technical amendments recommended by the Subcommittee; and additional technical amendments noted after the subcommittee reported. These additional technical amendments made changes in parliamentary terms in the bill to conform to the change from simple resolutions of disapproval to joint resolutions of approval. Although H.R. 1314 was jointly referred without limitation, the Committee asserted jurisdiction over only certain provisions touching on the rules and confined its markup and reporting to that subject. In all other provisions of the bill, the committee deferred, without recommendation, to the report by the Committee on Government Operations (H.Rept. 98-128, Pt. I).

The Committee will continue to closely monitor the application of the special rules of the House contained in the Reorganization Act of 1977 to the new procedure proposed by H.R. 1314 for approval of reorganization through enactment of joint resolutions. The Committee would exercise this review in close cooperation with the Committee on Government Operations, in respect to their jurisdictional oversight responsibilities for reorganization of executive agencies and activities.

On March 27, 1984, the Committee ordered the bill favorably reported, with amendments, by a voice vote (House Report 98-128,

Pt. 2). On April 10, 1984, the House suspended the rules and passed the bill by voice vote. The bill was passed by the Senate, without amendment, on October 11, 1984, and signed into law on November 8, 1984 (Public Law 98-614).

(h) Other activities

As a service to the House of Representatives, the Committee published a compilation of the rules adopted by all of the Committees of the House. This committee print was circulated to members and staff during the first session of the 98th Congress.

2. SUBCOMMITTEES

(a) Subcommittee on the Legislative Process

The Subcommittee on the Legislative Process was established at the beginning of the 96th Congress. It is chaired by Representative Long of Louisiana who chaired the subcommittee in the 96th and 97th Congresses, and who in the 95th Congress chaired its predecessor subcommittee, the Subcommittee on Rules and Organization of the House. Other Members who served on the subcommittee in the 98th Congress were Representatives Derrick, Frost, Wheat, Lott, and Taylor.

Rule 4(b) of the rules of the Committee on Rules provides that the Subcommittee on the Legislative Process shall have general responsibility for measures or matters concerning relations between the Congress and the Executive branch, and that each subcommittee of the Committee shall review and study, on a continuing basis, the application of laws which are within its general responsibility.

Parts or all of six House measures were referred to the Subcommittee during the 98th Congress.

Measures referred to the Subcommittee include:

H.R. 2—Mineta and Gephardt, et al.: To require reauthorizations of budget authority for government programs at least every ten years, to provide for review of government programs at least every ten years, and for other purposes.

H.R. 58—Long and Derrick, et al.: To establish as a part of the Rules of the House of Representatives and the Senate a procedure for the periodic congressional review of federal programs and tax expenditures, and to improve legislative oversight of federal activities and regulatory programs.

H.R. 257—Quillen: To require authorizations of new budget authority for government programs at least every six years, to provide for review of government programs every six years, and for other purposes.

H.R. 319—Roe: To establish as a part of the Rules of the House of Representatives and the Senate a procedure for the periodic congressional review of federal programs and tax expenditures, and to improve legislative oversight of federal activities and regulatory programs.

H.R. 645—Minish: To establish as a part of the Rules of the House of Representatives and the Senate a procedure of the periodic congressional review of federal programs and tax expenditures, and to improve legislative oversight of federal activities and regulatory programs.

H.R. 100—Lott and Smith, D.: To amend the Rules of the House of Representatives for the purpose of strengthening and making more accountable the committee system and thereby making the legislative process more efficient, manageable, and representative.

The Subcommittee continued its review and study of proposals to strengthen procedures for congressional review of federal programs, building on its hearing record of the 97th Congress. Recent changes in the use of reconciliation during the congressional budget cycle, as well as problems with the budget process itself, has made the need for systematic oversight of programs more evident and more urgent.

The use of sunset legislation as an oversight tool originated in state government. In order to discover how well sunset was working at the state level, Chairman Long directed the Subcommittee staff in 1981 to conduct a survey of those states where sunset legislation had been in place for a few years.

The Subcommittee staff conducted the survey by telephone and letter, compiled and reviewed sunset legislation enacted by state legislatures. With the assistance of the Congressional Research Service, these statutes were assembled in one volume which was published in December 1981. The volume, "A Compilation of State Statutes," also contained a report on state sunset experience by the National Conference of State legislatures and an annotated bibliography.

In view of the changes that occurred in both state sunset statutes and opinion about how those statutes functioned, Chairman Long directed the subcommittee staff at the beginning of the 98th Congress to update the state sunset statute compilation to include revisions through 1982. This revision was assembled in one volume and published in October 1983 as "A Compilation of State Sunset Statutes."

At Chairman Long's direction, the subcommittee staff also updated a 1977 report entitled "Guidelines for the Establishment of Select Committees." This second printing amends the original report to include actions of the House of Representatives relating to select committees through the 97th Congress. Published in February 1983, the updated report reevaluated the recommendations made in the 1977 version with a view towards ensuring that recent actions of the House of Representatives conformed with those recommendations. The Report included six recommended standards that should be used in reviewing proposals to create select committees, a model resolution for creation of select committees that would assure compliance with most of the standards proposed by the report, a questionnaire that provides the minimum threshold of information that sponsors of these resolutions should provide, and a historical review and digest of select committee resolutions.

The subcommittee staff also extensively researched three issues within the jurisdiction of the Committee on Rules or the Subcommittee on the Legislative Process. These were: (1) the impact of changes in the budget process; (2) the effect of the exercise of executive privilege on congressional oversight; and (3) the potential statutory changes necessary in light of the Supreme Court's decision in *Immigration & Naturalization Service* v. *Chadha,* 103 S. Ct. 2764 (1983).

(b) Subcommittee on Rules of the House

The subcommittee was first established at the beginning of the 96th Congress, and was re-established at the beginning of the 97th and 98th Congresses. Under committee rule 4(b)(1)(B), the Subcommittee on Rules of the House has "general responsibility for measures and matters related to relations between the two Houses of Congress, relations between the Congress and the Judiciary, and internal operations of the House." The principal activities of the Subcommittee on Rules of the House, during the 98th Congress, have focused on the consideration of individual measures relating to congressional review of executive rules and other actions.

In recent years, the issue of reform of the regulatory process has been an important concern of Congress and a major priority of recent Administrations. The "legislative veto" has been a major issue, raised in connection with regulatory reform legislation, and with other measures delegating discretion of a legislative character.

The Committee on Rules shares jurisdiction with the Committee on the Judiciary over legislative veto bills which contain rulemaking provisions and are applicable to federal agency regulatory activities generically. In the case of such legislative veto bills applicable to specific agencies or programs, the jurisdiction of the Committee on Rules is shared with the committee or committees of the House having responsibility for measures relating to any agency or program in question.

The subcommittee exercised jurisdiction for these questions during the 96th and 97th Congress. In the wake of the Supreme Court decision in the matter of *INS* v. *Chadha,* during the 98th Congress, the Chairman of the Committee on Rules responded to the request of the chairmen of several standing committees, that the committee provide leadership in the matter. He announced an extensive series of full committee hearings on the institutional implications of the court ruling.

The subcommittee cooperated extensively with these hearings. The subcommittee chairman (Mr. Moakley) testified at the full committee's opening hearing on November 9, 1983, on the general overview of the legislative veto and the court decision, and at the hearing of March 22, 1984, on the subject of expedited procedures.

In addition the subcommittee continued to review bills and resolutions proposing specific statutory schemes for congressional review. A total of 39 measures were referred to the subcommittee during the 98th Congress. The measures specifically handled by the Subcommittee on Rules of the House include:

REGULATORY REFORM

Background

The Subcommittee on Rules of the House had developed a substantial hearing record during the 96th Congress and, on the basis of the subcommittee record, the subcommittee chairman introduced H.R. 1 in the 97th Congress. That bill was the principal focus of subcommittee consideration during that Congress. Major alterna-

tives which were also considered included H.R. 97 (Mr. Ashbrook), H.R. 1776 (Mr. Levitas) and H.R. 4838 (Mr. Lott).

The bills were the subject of three subcommittee hearings in 1981. H.R. 746 was subsequently reported from the Committee on the Judiciary and a rule was requested to permit consideration of a compromise version as a substitute and providing for a non-germane amendment to be offered by Mr. Levitas, similar to H.R. 1776. Hearings were held on September 30, 1982 and December 9, 1982, but the large number of witnesses and the press of business at the close of the session precluded action.

98th Congress activities

During the 98th Congress the subcommittee held no regulatory reform hearings. In view of the extensive work by the full committee in its far broader inquiry into the general subject of congressional review procedures, in the wake of the Supreme Court decision.

NUCLEAR WASTE

Background

During the 96th Congress, efforts to enact a comprehensive nuclear waste bill were frustrated at adjournment. The number of committees involved in the effort in the 97th Congress posed some difficulties. The Subcommittee on Rules of the House was charged with responsibility for coordinating activities with three other committees which shared initial referral and three committees which received sequential referral and with making recommendations to the full committee on the aspects, within the committee's jurisdiction, of the bill's procedures for state review of certain siting decisions. Under time constraints, the subcommittee did not report. However, the subcommittee chairman (Mr. Moakley) submitted a draft substitute to the committee which recommended a formula for state review that was informally endorsed by the committee.

The final nuclear waste bill enacted at the end of the 97th Congress accepted the Rules Committee's recommendation on the subject of review of siting decisions. Although acceptance of the committee's recommendations prevented the issues raised by *Chadha* from clouding the politically vital issue of state review of siting decisions, the bill did contain a traditional legislative veto with respect to adjustments in the nuclear waste fee.

98th Congress activities

Because of constitutional concerns about the fee adjustment language contained in the Nuclear Waste Policy Act of 1982, the subcommittee issued an oversight request to the Congressional Budget Office. The request resulted in a comprehensive study of alternative methods of making adjustments in the nuclear waste fee, published by CBO in August 1984.

The only legislation on the subject was H.R. 4690, introduced January 31, 1984 by Mr. Moakley. The Nuclear Waste Management Fee Adjustment Procedures Act of 1984 was referred to the Committee on Energy and Commerce, Interior and Insular Affairs, and Rules. The bill was retained for full committee consideration.

DISTRICT OF COLUMBIA SELF GOVERNMENT

Background

One of the most troublesome questions raised by the *Chadha* decision was the status of self-government in the District of Columbia. The "Home Rule Act" had provided for most legislative authority of the District Government, including all criminal laws, to be subject to a one-House veto. Lower court decisions after *Chadha* raised serious concerns about the viability of Home Rule.

98th Congress activities

In response to the situation, Congressman Fauntroy, on February 23, 1983, introduced a bill (H.R. 1602) to amend the District of Columbia Self-Government and Governmental Reorganization Act to allow the acts of the Council of the District of Columbia to take effect when transmitted by the Chairman of the Council of the District of Columbia and to change the procedure for resolutions of approval or disapproval of such acts. The bill was jointly referred to the Committees on District of Columbia and Rules.

The bill was referred to the subcommittee which did not act on the bill, but subsequently the full committee granted a rule which made a related matter in order as an amendment to the omnibus fiscal year 1985 continuing resolution. It was enacted as part of that measure (Public Law 98-473).

REORGANIZATION ACT

Background

The Reorganization Act of 1977, has served as the basis for Presidential exercise of the oldest delegated authority subject to a legislative veto. Although the latest renewal of the Act had lapsed at the time of the *Chadha* decision, the issue was still viewed as a matter of importance.

98th Congress activities

On February 8, 1983, Congressman Brooks (for himself and Congressman Horton) introduced the bill (H.R. 1314) to extend and revise the authority of the President under chapter 9 of title 5, United States Code, to transmit to the Congress plans for the reorganization of the agencies of the executive branch of the Government, and for other purposes. The bill was referred to the Committees on Government Operations and Rules.

The bill was referred to the subcommittee on April 7, 1983. The subcommittee held hearings and mark-up on March 22, 1984 and forwarded the matter to the full committee with amendments.

The full committee considered the bill on March 27, 1984 and ordered it reported with an amendment in the nature of a substitute. The substitute incorporated the amendments recommended by the subcommittee and those previously recommended by the Committee on Government Operations, which had reported it on May 16, 1983.

On April 10, 1984, the House adopted a motion to suspend the rules and pass the bill with the amendment in the nature of a substitute recommended by the Committee on Rules. The bill was

passed by the Senate, without amendment, on October 11, 1984 and signed into law November 8, 1984 (Public Law 98-614).

EXPORT ADMINISTRATION ACT

Background

The Export Administration Act of 1979 was subject to a termination date which required action in the 98th Congress. The Act was first implemented in 1979 to provide broad Presidential authorities to regulate critical and high-technology exports.

Uses of authorities under the Act, including the Soviet grain embargo limitations on the European pipeline, raised numerous policy and practical questions which were complicated by the *Chadha* decision which came down about the time that Congress was preparing to act on an extension.

98th Congress activities

On June 6, 1983, Congressman Bonker introduced a bill (H.R. 3231) incorporating the Export Administration Amendments Act of 1983 and the United States Policy Toward South Africa Act of 1983. The bill was based on previous subcommittee consideration in the Committee on Foreign Affairs on H.R. 2971 and related measures.

The bill was referred to the Committee on Foreign Affairs, which reported the bill on June 22, 1983. It was sequentially referred to the Committees on Armed Services, Banking, Finance and Urban Affairs, and the Judiciary, subject to a reporting deadline of July 22nd. On July 12th, it was referred to the Committee on Rules, subject to the same deadline, which was subsequently extended to July 26, 1983.

On July 13, 1983, the bill was referred to the Subcommittee on Rules of the House. The subcommittee held a hearing and mark-up on July 20th, and forwarded the matter to the full committee. On July 21 and 26, 1983, the committee considered the measure. At the later meeting it was ordered reported and the bill was reported to the House on that date.

EL SALVADOR REFUGEES

Background

In recent years, considerable public and congressional attention has focused on the status of aliens from El Salvador in the United States, who assert that they are refugees from random violence in El Salvador, rather than the more narrowly defined class of persons subject to persecution who qualify for amnesty under the Refugee Act of 1980.

98th Congress activities

On November 17, 1983, Congressman Moakley introduced the bill (H.R. 4447) to provide for the temporary suspension of deportation for certain aliens who are nationals of El Salvador, and to provide for Presidential and congressional review of conditions in El Salvador and for other purposes. The bill was referred to the Committees on Foreign Affairs, the Judiciary and Rules.

The bill was referred to subcommittee in the Committee on Foreign Affairs but was not acted upon.

In the Committee on the Judiciary the bill was referred to the Subcommittee on Immigration, Refugees, and International Law. The subcommittee held hearing on April 12, 1984 and a markup on October 3, 1984 at which time it was forwarded to full committee with amendments.

In the Committee on Rules, the measure was referred on February 1, 1984 to the Subcommittee on Rules of the House. The subcommittee held hearings on June 20, 1984. On October 3, 1984 the full committee considered the matter and ordered it reported.

The bill was not acted upon by the Howse prior to adjournment.

Measures referred to the Subcommittee include:

H. Res. 22—Weiss: A resolution to amend the Rules of the House of Representatives to require that all bills and resolutions have titles which accurately reflect their contents and all subject matters contained therein.

H. Res. 100—Lott: A resolution to amend the Rules of the House of Representatives for the purpose of strengthening and making more accountable the committee system and thereby making the legislative process more efficient, manageable, and representative.

H. Res. 104—Corcoran. A resolution amending the Rules of the House of Representatives with respect to use of committee funds for travel.

H.R. 126—Fuqua: A bill to permit either House of Congress to disapprove certain rules proposed by executive agencies.

H.R. 172—Hansen (ID): A bill to amend title 5 of the United States Code to establish a uniform procedure for congressional review of agency rules which may be contrary to law or inconsistent with congressional intent, to expand opportunities for public participation in agency rulemaking, and for other purposes.

H.R. 220—Levitas: A bill to amend title 5, United States Code, to make regulations more cost-effective, to ensure review of rules, to improve regulatory planning and management, to enhance public participation in the regulatory process, and for other purposes.

H.R. 479—Brown (CA): A bill to establish the Arid Lands Renewable Agricultural Resources Corporation.

H.R. 713—Whitehurst: A bill to terminate the Department of Energy.

H.R. 714—Whitehurst: A bill to terminate the Department of Education.

H.R. 770—Daub: A bill to reform the laws relating to the provision of Federal assistance in order to simplify and coordinate the management of Federal assistance programs and requirements, provide assistance recipients with greater flexibility, and minimize the administrative burden and adverse economic impact of such programs and requirements.

H.R. 1259—Lagomarsino: A bill to establish a method whereby the Congress (acting in accordance with specified procedures) may prevent the adoption by the executive branch of rules or regulations which are contrary to law or inconsistent with congressional intent or which go beyond the mandate of the legislation which they are designed to implement.

H.R. 1314—Brooks: A bill to extend and revise the authority of the President under chapter 9 of title 5, United States Code, to transmit to the Congress plans for the reorganization of the agencies of the executive branch of the Government, and for other purposes.

H.R. 1512—Biaggi: A bill to establish a national policy on the operation, maintenance, and improvement of deep-draft commercial ports.

H.R. 1566—Bonker: A bill to amend the authorities contained in the Export Administration Act of 1979, and for other purposes.

H.R. 1602—Fauntroy: A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to allow the acts of the Council of the District of Columbia to take effect when transmitted by the Chairman of the Council of the District of Columbia and to change the procedure for resolutions of approval or disapproval of such acts.

H.R. 1633—Breaux: A bill to revise the law relating to the establishment and administration of marine sanctuaries.

H.R. 1776—Levitas: A bill to amend title 2 of the United States Code to improve agency rulemaking by expanding the opportunities for public participation, by creating procedures for congressional review of agency rules, and by expanding judicial review, and for other purposes.

H.R. 1847—Young (FL): A bill to amend title 5 of the United States Code to establish a uniform procedure for congressional review of agency rules which may be contrary to law or inconsistent with congressional intent, to expand opportunities for public participation in agency rulemaking, and for other purposes.

H.R. 1974—McDade: A bill to amend the Trade Act of 1974 to ensure reciprocal trade opportunities, and for other purposes.

H.R. 2035—Sensenbrenner: A bill to amend the Immigration and Nationality Act to change the numerical limitations on admission of permanent residents and refugees to the United States, to deter illegal employment of aliens, and for other purposes.

H.R. 2285—Patman: A bill to provide that certain amounts of the revenues received by the United States under leases on the Outer Continental shelf shall be used to acquire petroleum products for the Strategic Petroleum Reserve.

H.R. 2761—Bonker: A bill to amend the authorities contained in the Export Administration Act of 1979, and for other purposes.

H.R. 2814—Conte: A bill to suspend periodic reviews of disability beneficiaries having mental impairments pending regulatory reform of the Social Security disability determination process.

H.R. 2846—Patman: A bill to provide that a certain amount of the revenues received by the United States under leases on the Outer Continental Shelf shall be used to acquire strategic and critical materials for the national defense stockpile.

H.R. 2881—Kostmayer: A bill to amend the Trade Act of 1974 to ensure fair trade opportunities, and for other purposes.

H.R. 3113—Florio: A bill to revitalize the domestic automobile industry in the United States.

H.R. 3217—Hammerschmidt: A bill to provide for congressional review of all regulations relating to costs and expenditures for health care, reimbursements to individuals or providers of health care, and for other purposes.

H.R. 3231—Bonker: A bill to amend the authorities contained in the Export Administration Act of 1979, and for other purposes.

H.R. 3319—Erdreich: A bill to amend title 5, United States Code, to require Federal agencies to analyze the effects of rules to improve their effectiveness and to decrease their compliance costs, to provide for a periodic review of regulations, and for other purposes.

H.R. 3447—Donnelly: A bill to promote orderly and efficient ocean transportation of dry bulk commodities in the foreign commerce of the United States, and for other purposes.

H.R. 3524—Conte: A bill to cease periodic reviews under titles II and XVI of the Social Security Act of beneficiaries having mental impairments and to provide for resumption of such reviews only after appropriate revisions have been made to the disability determination process thereunder.

H.R. 3681—McKinney: A bill to authorize the establishment of transitional industries trade boards to increase the international competitiveness of United States industries, and for other purposes.

H.R. 3753—Erlenborn: A bill to amend chapter 11 of subtitle II of title 31, United States Code, to provide for a general limitation, relating to wage increases received by workers in the national workforce, on the total increase which may occur in budgets submitted by the President annually in periodic cash benefits provided under Federal pension, annuity, retirement, disability, workers' compensation, and similar plans covering individuals in either the public or private sector, and for other purposes.

H.R. 3939—Lott: A bill to amend title 5, United States Code, and the Rules of the House of Representatives and the Senate to make regulations more cost-effective, to ensure review of rules, to improve regulatory planning and management, to provide for periodic review of regulations, and to enhance public participation in and congressional oversight and control of the regulatory process, and for other purposes.

H.R. 4119—Kramer: A bill to establish a uniform procedure for congressional review of agency regulation, and for other purposes.

H.R. 4129—Petri: A bill to amend the Nuclear Waste Policy Act of 1982 to increase the authority of States and Indian tribes to disapprove the location of repositories and monitored retrievable storage facilities for high-level radioactive waste and spent nuclear fuel, and for other purposes.

H.R. 4447—Moakley: A bill to provide for the temporary suspension of deportation for certain aliens who are nationals of El Salvador, and to provide for Presidential and Congressional review of conditions in El Salvador, and for other purposes.

H.R. 5778—Moakley: A bill to amend title I of the Ethics in Government Act of 1978 to provide for more useful and effective disclosure by officials of the legislative branch, and for other purposes.

H.J. Res. 224—Moakley: A joint resolution to establish a temporary joint committee of the Congress to investigate the administrative organization of the Congress and to make recommendations for an appropriate reorganization of joint entities and functions.

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III. STATISTICAL PROFILE OF THE COMMITTEE ON RULES, 98TH CONGRESS

A. Statistics on Special Orders or "Rules"

1. Number of formal requests for Rules Committee hearings: 205.
   (a) Number of formal requests pending at adjournment: 27.
2. Number of hearing days: 93
   (a) 1st session: 48
      (1) Regular meetings: 45
      (2) Emergency meetings: 3
   (b) 2nd session: 45
      (1) Regular meetings: 40
      (2) Emergency meetings: 5
3. Number of bills, resolutions, and conference reports on which hearings were held for the purpose of considering special orders or "rules":
   (a) Number of rules granted: 190
      (1) Bills and resolutions: 184
      (2) Conference reports: 6
   (b) Types of rules granted:
      (1) Open: 105
      (2) Modified open: 26
      (3) Modified closed: 14
      (4) Closed: 0
      (5) Others: 45
   (c) Disposition of rules granted:
      (1) Adopted by House: 158
      (2) Rejected by House: 3
      (3) Referred by House: 0
      (4) Laid on Table: 4
      (5) Remaining on House Calendar at adjournment: 25
      (6) Amended by Committee in the House: 1
4. Number of Congressional Budget Act waivers granted: 133
   (a) Type of waiver:
      (1) Sec. 303(a): 21
      (2) Sec. 303(a)(1): 14
      (3) Sec. 303(a)(4): 13
      (4) Sec. 305(a)(1): 1
      (5) Sec. 311(a): 12
      (6) Sec. 401(a): 6
      (7) Sec. 401(b)(1): 10
      (8) Sec. 402(a): 54
      (9) Other: 2
5. Number of waivers of Rules of the House granted: 239
   (a) Types of waivers:
      (1) Waiver of all House rules: 30
      (2) Waiver of all House rules, except Rule XVI, cl. 7: 4
      (3) Rule X, cl. 1(p): 1
      (4) Rule XI, cl. 2(1)(3)(A): 2
      (5) Rule XI, cl. 2(1)(5): 1
      (6) Rule XI, cl. 2(1)(5)(B): 1
      (7) Rule XI, cl. 2(1)(6): 10
      (8) Rule XIII, cl. 3: 1

(9) Rule XIII, cl. 7: 1
(10) Rule XVI, cl. 7: 58
(11) Rule XXI, cl. 2: 35
(12) Rule XXI, cl. 2(c): 1
(13) Rule XXI, cl. 5: 24
(14) Rule XXI, cl. 5(a): 45
(15) Rule XXI, cl. 5(b): 2
(16) Rule XXI, cl. 6: 14
(17) Rule XXI, cl. 7: 2
(18) Rule XXVIII, cl. 2: 5
(19) Rule XXVIII, cl. 3: 1
(20) Rule XLIX: 1

B. Statistics on Original Jurisdiction Measures

1. Full Committee:
(a) Number of bills and resolutions referred: 165.
(b) Number of measures referred to subcommittee: 45.
(1) Rules Subcommittee: 39.
(2) Legislative Process Subcommittee: 6.
(c) Number of original jurisdiction measures on which hearings were held by full committee: 16.
(d) Number of hearings and markups held by full committee: 16.
(e) Number of hearings by Task Force on the Budget Process: 3.
(f) Number of hearings by full committee on legislative veto: 8.
(g) Number of measures reported by full committee: 15.
(1) Disposition of measures reported:
(a) Resolutions adopted by House: 8. Bills passed: 2 (H.R. 1314, H.R. 3231)
(b) Measures reported and pending floor action at adjournment: 4
(c) Resolutions rejected by House: 0
(d) Resolutions tabled by House: 1 (H. Con. Res. 282)
(2) Subcommittee on the Legislative Process:
(a) Measures referred: 6
(b) Days of hearings and markup: 0.
(c) Measures reported: 0.
(3) Subcommittee on Rules of the House:
(a) Measures referred: 39.
(b) Days of hearings and markup: 3.
(c) Measures reported: 3.

IV. APPENDIX

A. Table 1.—RULES GRANTED (190)

[Type of rule]

Open Rule (105):		
H. Res. 109	H.R. 1310	Mathematics and Science Education.
H. Res. 138	H.J. Res. 13	Nuclear Weapons Freeze.
H. Res. 141	H.R. 1149	Oregon Wilderness Act.
H. Res. 142	H.R. 1983	Housing Assistance Act.
H. Res. 154	H.R. 1437	California Wilderness Act.

A. Table 1.—RULES GRANTED (190)—Continued

[Type of rule]

H. Res. 158	H.R. 1190	Agricultural Credit Act.
H. Res. 164	H.R. 2065	NASA Appropriations.
H. Res. 179	H.J. Res. 13	Nuclear Weapons Freeze and Reduction.
H. Res. 183	H.R. 2066	Science Foundation Authorization.
H. Res. 184	H.R. 2175	Justice Assistance Act.
H. Res. 185	H.R. 2587	DOE Research and Development Authorization.
H. Res. 187	H.R. 2307	Tribally Controlled Community College.
H. Res. 188	H.R. 2513	National Bureau of Standards.
H. Res. 197	H.R. 2969	Defense Authorization Act.
H. Res. 198	H.R. 2915	State Department and Related Agencies.
H. Res. 201	H.R. 1398	Energy Conservation Daylight Savings Act.
H. Res. 206	H.R. 5	Ocean and Coastal Resources Management.
H. Res. 207	H.R. 1590	Food Assistance and Commodity Distribution Act.
H. Res. 208	H.R. 2350	Health Research Extension Act.
H. Res. 227	H.R. 2668	Consumer Product Safety Amendments.
H. Res. 229	H.R. 2972	Military Construction Authorization.
H. Res. 239	H.R. 2912	Justice Department Authorization.
H. Res. 248	H.R. 1	Housing and Urban Rural Recovery Act.
H. Res. 249	H.R. 2957	International Recovery and Financial Stability.
H. Res. 250	H.R. 10	National Development Investment Act.
H. Res. 251	H.R. 2832	Multilateral Development Bank.
H. Res. 252	H.R. 2842	Export-Import Bank Act.
H. Res. 253	H.R. 2930	International Economic Recovery.
H. Res. 273	H.R. 2230	Civil Rights Commission Act.
H. Res. 274	H.R. 2867	Hazardous Waste Control and Enforcement Act.
H. Res. 275	H.R. 2615	Weatherization and Employment Act.
H. Res. 283	H.R. 3520	Rehabilitation Act of 1973 (extend).
H. Res. 285	H.R. 2780	State and Local Fiscal Assistance Amendments.
H. Res. 296	H.R. 2992	International Security and Development.
H. Res. 297	H.R. 3231	Export Administration Amendments Act.
H. Res. 298	H.R. 2379	Park System Protection and Resources.
H. Res. 300	H.R. 2453	Radio Broadcasting to Cuba.
H. Res. 301	H.R. 2655	Domestic Volunteer Service Act.
H. Res. 302	H.R. 1036	Community Renewal Employment Act.
H. Res. 309	H.R. 1010	Coal Pipeline Act.
H. Res. 313	H.R. 2144	Challenge Grant Amendments.
H. Res. 314	H.R. 2782	Defense Industrial Base Revitalization Act.
H. Res. 320	H.R. 3648	Amtrak Improvement Act.
H. Res. 330	H.R. 3324	Close Up Foundation Grant.
H. Res. 336	H.R. 1234	Fair Practices in Automotive Products.
H. Res. 350	H.R. 1904	Child Abuse Amendments of 1983.
H. Res. 351	H.R. 2751	Arts and Humanities Act.
H. Res. 352	H.R. 2114	Amend Part C—Title III of Higher Education.
H. Res. 353	H.R. 3323	Washington Workshop Authorization.

A. Table 1.—RULES GRANTED (190)—Continued

[Type of rule]

H. Res. 354	H.R. 2900	Atmospheric, Climatic and Ocean Pollution Act.
H. Res. 357	H.R. 3244	Energy Policy and Conservation Act Amendments.
H. Res. 358	H.R. 4248	Panama Canal Authorization Act.
H. Res. 359	H.R. 3435	Education of the Handicapped Act.
H. Res. 365	H.R. 3020	Small Business Act.
H. Res. 375	H.R. 555	Construction Work in Progress Policy Act.
H. Res. 397	H.R. 2878	Library Services and Construction Act.
H. Res. 398	H.R. 2465	Earthquake Hazards Reduction and Federal Fire.
H. Res. 399	H.J. Res. 203	State Commissions on Teacher Excellence.
H. Res. 429	H.R. 2899	Environmental R&D & Demonstration Act.
H. Res. 440	H.R. 2708	Foreign Language Assistance for National Security.
H. Res. 447	H.R. 3050	Rural Electrification & Telephone Revolving Fund.
H. Res. 453	H.R. 1652	Reclamation Safety of Dams Act of 1978.
H. Res. 454	H.R. 2133	Small Business Competition Procurement.
H. Res. 455	H.R. 4164	Vocational Technical Education Act.
H. Res. 469	H.R. 5154	National Aeronautics and Space Administration.
H. Res. 470	H.R. 4706	Maritime Programs of Dept. of Transportation.
H. Res. 471	H.R. 4900	Panama Canal Appropriations.
H. Res. 472	H.R. 4841	Coast Guard Authorization Act.
H. Res. 478	H.R. 7	Child Nutrition Act.
H. Res. 480	H.R. 4974	National Science Foundation.
H. Res. 481	H.R. 5172	National Bureau of Standards.
H. Res. 482	S. 373	Arctic Research and Policy Act.
H. Res. 491	H.R. 4275	Hydroelectric Powerplants Authorization.
H. Res. 493	H.R. 3457	Soil Conservation Act of 1984.
H. Res. 494	H.R. 5167	Defense Authorization Act.
H. Res. 502	H.R. 5504	Surface Transportation and Uniform Relocation.
H. Res. 507	H.R. 5580	Public Health Service.
H. Res. 508	H.R. 5290	Compassionate Pain Relief Act.
H. Res. 509	H.R. 5244	DOE Research and Development Authorization Act.
H. Res. 514	H.R. 4785	Older Americans Act Amendments of 1984.
H. Res. 515	H.R. 3678	Water Resources, Conservation, Development.
H. Res. 516	H.R. 3870	Alcoholic Beverages Restriction.
H. Res. 517	H.R. 5151	Hunger Relief Act.
H. Res. 521	H.R. 5541	Public Broadcasting Amendments.
H. Res. 522	H.R. 3282	Water Quality Renewal Act.
H. Res. 526	H.R. 5680	Federal Pay Equity and Management Improvement.
H. Res. 527	H.R. 5395	National Security and Military Applications.
H. Res. 528	H.R. 5490	Civil Rights Act.
H. Res. 529	H.R. 5604	Military Construction Authorization.
H. Res. 534	H.R. 3987	National Archives and Records.
H. Res. 535	H.R. 5468	Department of Justice Authorization Act.

A. Table 1.—RULES GRANTED (190)—Continued

[Type of rule]

H. Res. 536	H.R. 5602	Health Professions and Services Amendments.
H. Res. 542	H.R. 5281	Kennedy Center Appropriations.
H. Res. 550	H.R. 11	Authorization for Certain Education Programs.
H. Res. 552	H.R. 3953	Panama Canal Amendments Act of 1984.
H. Res. 553	H.R. 5220	National Defense Shipyard Protection Act.
H. Res. 559	H.R. 4444	Amend Small Reclamation Projects Act.
H. Res. 560	H.R. 4567	Indian Health Care Amendments.
H. Res. 561	H.R. 2934	Health Planning Amendments.
H. Res. 562	H.R. 5585	Railroad Safety Improvement Act.
H. Res. 569	H.R. 3605	Drug Price Competition Act.
H. Res. 579	H.R. 3082	Wetlands Resources Act of 1983.
H. Res. 584	H.R. 6067	Law Enforcement Officers Protection.
H. Res. 591	H.R. 5492	Atlantic Striped Bass Conservation Act.
H. Res. 592	S. 607	Federal Communications Commission.
Modified open (26):		
H. Res. 113	H.R. 1718	Emergency Appropriations.
H. Res. 126	H.R. 1900	Social Security Act Amendments.
H. Res. 247	H.R. 2760	Intelligence Authorization Act.
H. Res. 248	H.R. 1	Housing and Urban Rural Recovery Act.
H. Res. 261	H.R. 2760	Intelligence Authorization Act.
H. Res. 262	H.R. 3021	Health care for the Unemployed.
H. Res. 276	H.R. 3021	Health care for the Unemployed.
H. Res. 286	H.R. 1646	Railroad Retirement Solvency Act.
H. Res. 299	H.R. 3391	Improve Worker Training-Trade Act.
H. Res. 329	H.R. 2968	Intelligence Authorization Act.
H. Res. 355	H.R. 4196	Dairy Production Stabilization.
H. Res. 362	H.J. Res. 403	Further Continuing Appropriations.
H. Res. 363	H.R. 4102	Telephone Service Preservation Act.
H. Res. 364	H.R. 2755	Communications Commission Authorization.
H. Res. 367	H.J. Res. 413	Further Continuing Appropriations.
H. Res. 376	H.R. 4170	Tax Reform Act.
H. Res. 465	H.R. 5174	Bankruptcy Amendments of 1984.
H. Res. 476	H. Con. Res. 280	First Concurrent Budget Resolution.
H. Res. 497	H.R. 5119	International Security and Development Cooperation.
H. Res. 519	H.R. 1510	Immigration Reforms and Control Act.
H. Res. 520	H.R. 5399	Intelligence Authorization Act.
H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.
H. Res. 578	H.R. 5609	American Defense Education Act.
H. Res. 588	H.J. Res. 648	Continuing Appropriations.
H. Res. 594	H.R. 6023	Generalized System of Preferences Renewal.
H. Res. 595	H.R. 2848	Service Industries Commerce Development.
Modified closed (14):		
H. Res. 144	H. Con. Res. 91	First Budget Resolution.
H. Res. 196	H.R. 2990	Temporary Public Debt Limit.
H. Res. 242	H.R. 1183	Tax Rate Equity Act.
H. Res. 246	H.R. 2769	Caribbean Basin Recovery Act.
H. Res. 319	H.R. 3929	Federal Supplemental Compensation.
H. Res. 344	H.R. 4169	Omnibus Reconciliation.
H. Res. 462	H.R. 4170	Tax Reform Act of 1984.
H. Res. 466	H.R. 3755	Social Security Disability Benefits.
H. Res. 483	H.R. 5394	Reconciliation Act of 1984.

A. Table 1.—RULES GRANTED (190)—Continued

[Type of rule]

H. Res. 503	H.R. 5665	Debt Limit.
H. Res. 504	H.R. 4784	Trade Remedies Reform Act of 1984.
H. Res. 596	H.R. 6301	Steel Import Stabilization Act.
H. Res. 597	H.R. 3795	Wine Equity Act.
H. Res. 598	H.R. 5377	United States Israel Free Trade Area Act.
Other (45) Waiving points of order for appropriations bills, conference reports, consideration of bill in the House:		
Closed (0).		
H. Res. 209	H.R. 3069	Supplemental Appropriations.
H. Res. 210	H.R. 3132	Appropriations—Energy and Water Development.
H. Res. 211	H.R. 3133	Appropriations—Housing and Urban Development.
H. Res. 220	H.R. 3223	Appropriations—Agriculture, Rural Development.
H. Res. 221	H.R. 3134	Appropriations—Commerce, Justice, State.
H. Res. 222	H.R. 3191	Appropriations—Treasury, Postal Service.
H. Res. 226	H. Con. Res. 126	Harry S Truman 100th Anniversary.
H. Res. 228	H.R. 3263	Appropriations—Military Construction.
H. Res. 238	H.R. 3329	Appropriations—Transportation and Related.
H. Res. 243	H. Con. Res. 91	First Budget Resolution.
H. Res. 244	H.R. 3363	Appropriations—Interior and Related Agencies.
H. Res. 284	H.R. 3069	Supplemental Appropriations.
H. Res. 312	S. 602	Radio Broadcasting to Cuba.
H. Res. 317	H.J.Res. 368	Continuing Appropriations.
H. Res. 331	H.R. 3958	Appropriations—Water Resources Development.
H. Res. 332	H.R. 3959	Supplemental Appropriations.
H. Res. 379	H.R. 3959	Supplemental Appropriations.
H. Res. 479	S. 1852	Defense Production Act of 1959.
H. Res. 485	H. Con. Res. 290	Nicaragua-Sense of Congress: no funds for mining waters.
H. Res. 490	S. 2570	Bankruptcy Act.
H. Res. 501	H.R. 5653	Appropriations—Energy and Water Development.
H. Res. 511	H.R. 5713	Appropriations—Housing and Urban Development.
H. Res. 524	H.R. 5813	Appropriations—Transportation.
H. Res. 532	H.R. 5898	Appropriations—Military Construction.
H. Res. 533	H.R. 5899	Appropriations—District of Columbia.
H. Res. 541	H.R. 4616	Child Restraint Systems.
H. Res. 543	H.R. 2769	Caribbean Basin Economic Recovery Act.
H. Res. 544	H.R. 5950	Presidential National Nominating Conventions.
H. Res. 545	H.R. 5953	Public Debt Limit Increase.
H. Res. 551	H.R. 5973	Appropriations—Interior
H. Res. 556	H.R. 5921	Appropriations—Transportation.
H. Res. 557	H.R. 5973	Appropriations—Interior.
H. Res. 563	S. 2436	Public Broadcasting Corporation.
H. Res. 572	H.R. 6040	2nd Supplemental Apppropriations.
H. Res. 573	H.R. 1437	California Wilderness Act.
H. Res. 586	H.J. Res. 648	Continuing Appropriations.
H. Res. 600	H.R. 5172	Bureau of Standards Authorization.
H. Res. 601	H.R. 4164	Vocational Technical Act.
H. Res. 606	H.R. 6163	Court Organization Act of 1984.
H. Res. 607	S. 2565	Human Services Reauthorization.
H. Res. 608	H.R. 999	Conservation Corps Act of 1983.
H. Res. 609	H.R. 5121	Virginia National Forest Wilderness.

A. Table 1.—RULES GRANTED (190)—Continued

[Type of rule]

H. Res. 610	H.J. Res. 659	Continuing Appropriations.
H. Res. 615	H.R. 4230	Export Administration Act.
H. Res. 616	H.R. 6027	Local Government Antitrust Act.

B. Table 2

[Type of rule]

Rule amended on floor (1)

H. Res. 553	H.R. 5220	National Defense Shipyard Protection Act.

Amendment Waiving 401(a) of the Budget Act

Rules failed of adoption (3)

H. Res. 376	H.R. 4170	Tax Reform Act (11/17/83).
H. Res. 551	H.R. 5973	Appropriations—Interior (7/25/84).
H. Res. 586	H.J. Res. 648	Continuing Appropriations (9/20/84).

Laid on the table (4)

H. Res. 221	H.R. 3134	Appropriations—Commerce, Justice, State and the Judiciary.
H. Res. 247	H.R. 2760	Intelligence Authorization Act.
H. Res. 262	H.R. 3021	Health Care for the Unemployed.
H. Res. 313	H.R. 2144	Challenge Grant Amendments.

Rules pending consideration on the floor at the end of the 98th Congress (25)

H. Res. 187	H.R. 2307	Tribally Controlled Community College.
H. Res. 188	H.R. 2513	National Bureau of Standards.
H. Res. 251	H.R. 2832	Multilateral Development Act.
H. Res. 252	H.R. 2842	Export-Import Bank Act.
H. Res. 253	H.R. 2930	International Economic Recovery.
H. Res. 296	H.R. 2992	International Security and Development.
H. Res. 300	H.R. 2453	Radio Broadcasting to Cuba.
H. Res. 314	H.R. 2782	Defense Industrial Base Revitalization Act.
H. Res. 353	H.R. 3323	Washington Workshop Authorization.
H. Res. 357	H.R. 3244	Energy Policy and Conservation Act Amendments.
H. Res. 358	H.R. 4248	Panama Canal Authorization Act.
H. Res. 454	H.R. 2133	Small Business Competition Procurement.
H. Res. 514	H.R. 4785	Older Americans Act Amendments of 1984.
H. Res. 516	H.R. 3870	Alcoholic Beverages Restriction.
H. Res. 524	H.R. 5813	Appropriations—Transportation.
H. Res. 527	H.R. 5395	National Security and Military Applications Authorization.
H. Res. 535	H.R. 5468	Department of Justice Authorization.
H. Res. 541	H.R. 4616	Child Restraint Systems.
H. Res. 542	H.R. 5281	Kennedy Center Appropriations.
H. Res. 543	H.R. 2769	Caribbean Basin Economic Recovery Act.
H. Res. 552	H.R. 3953	Panama Canal Amendments Act of 1984.
H. Res. 556	H.R. 5921	Appropriations—Transportation.
H. Res. 559	H.R. 4444	Amend Small Reclamation Projects Act.
H. Res. 561	H.R. 2934	Health Planning Amendments.

B. Table 2—Continued

[Type of rule]

H. Res. 584	H.R. 6067	Law Enforcement Officers Protection.
Providing for consideration of bill in the House (8)		
H. Res. 226	H. Con. Res. 126	Harry S Truman 100th Anniversary.
H. Res. 312	S. 602	Radio Broadcasting to Cuba Act.
H. Res. 317	H.J. Res. 368	Continuing Appropriations.
H. Res. 490	S. 2570	Bankruptcy Act.
H. Res. 544	H.R. 5950	Presidential National Nominating Convention.
H. Res. 545	H.R. 5953	Public Debt Limit Increase.
H. Res. 573	H.R. 1437	California Wilderness Act.
H. Res. 586	H.J. Res. 648	Continuing Appropriations.
Conference reports and amendments in disagreement (6)		
H. Res. 243	H. Con. Res. 91	First Budget Resolution.
H. Res. 284	H.R. 3069	Supplemental Appropriations.
H. Res. 479	S. 1852	Defense Production Act of 1959.
H. Res. 572	H.R. 6040	Second Supplemental Appropriations.
H. Res. 601	H.R. 4164	Vocational Technical Act.
H. Res. 616	H.R. 6027	Local Government Antritrust Act.
Secret session (House Rule XXIX) (2)		
H. Res. 247	H.R. 2760	Intelligence Authorization Act.
H. Res. 261	H.R. 2760	Do.
Proviso (1)		
H. Res. 332	H.R. 3969	Supplemental Appropriations.

Provided, That a point of order against that provision may be made only against that provision and not against the entire paragraph.

PROVIDING FOR TAKING BILL FROM SPEAKER'S TABLE AND AGREEING TO SENATE AMENDMENTS

". . . That upon adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill . . . , with Senate amendments thereto, and to have agreed to the Senate amendments."

H. Res. 541	H.R. 4616	Child Restraint Systems.
H. Res. 573	H.R. 1473	California Wilderness Act.
H. Res. 600	H.R. 5172	Bureau of Standards Authorization.
H. Res. 606	H.R. 6163	Court Organization Act of 1984.
H. Res. 608	H.R. 999	Conservation Corps Act of 1983.
H. Res. 609	H.R. 5121	Virginia National Forest Wilderness.

PROVIDING FOR TAKING BILL FROM SPEAKER'S TABLE AND AGREEING TO SENATE AMENDMENT WITH AMENDMENT (8)

". . . That upon adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill . . . , with Senate amendments thereto, and to have agreed to the Senate amendments with the following amendments: . . ."

H. Res. 543	H.R. 2769	Caribbean Basin Economy Recover Act.

MOTION TO TAKE BILL FROM SPEAKER'S TABLE

". . . That upon adoption of this resolution it shall be in order to consider a motion in the House, if offered by Representative . . . , to take from the Speaker's table the bill . . . , with Senate amendment thereto, and to concur in the Senate amendment with an amendment."

H. Res. 615	H.R. 4230	Export Administration Act.

TAKE FROM SPEAKER'S TABLE HOUSE BILL, WAIVING ALL POINTS OF ORDER, CONCUR IN THE AMENDMENT OF THE SENATE WITH AN AMENDMENT, INSIST ON HOUSE AMENDMENTS TO THE SENATE AMENDMENTS AND REQUEST A CONFERENCE

". . . After passage of H.R. 5640, it shall be in order to move, any rule of the House to the contrary notwithstanding, to take from the Speaker's table the bill H.R. 2867, and for other purposes, with the Senate amendments thereto, to concur in the Senate amendments to the text of the bill with an amendment inserting in lieu thereof an amendment consisting of the texts of the bills H.R. 2867 and H.R. 5640 as passed by the House, and to concur in the amendment of the Senate to the title of the bill with an amendment, said motion shall be considered as having been read, and the previous question shall be considered as ordered on said motion to final adoption without intervening motion. It shall then be in order to move to insist on the House amendments to the Senate amendments to H.R. 2867 and to request a conference with the Senate thereon.

H. Res. 570	H.R. 5640	Superfund Expansion and Protection Act.

TAKE FROM SPEAKER'S TABLE AND INSERT HOUSE LANGUAGE

". . . After the passage of H.R. 3987, it shall be in order to take from the Speaker's table the bill S. 905, and to consider said bill in the House, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 3987 as passed by the House."

H. Res. 249 (S. 695)	H.R. 2957	Int'l Recovery and Financial Stability Act.
H. Res. 253	H.R. 2930	International Economic Recovery Act (S. 695).
H. Res. 365	H.R. 3020	Small Business Act (S. 1323).
H. Res. 534	H.R. 3987	National Archives and Records (S. 905).

H. Res. 535	H.R. 5468	Department of Justice Authorization (S. 2606).
H. Res. 542	H.R. 5281	Kennedy Center Appropriations (S. 2547).
H. Res. 563	S. 2436	Public Broadcasting Amendments Act (H.R. 5541).
H. Res. 569	H.R. 3605	Drug Price Competition Act (S. 1538).

DISCHARGE A COMMITTEE FROM CONSIDERATION OF A SENATE BILL AND INSERT HOUSE LANGUAGE

". . . After the passage of H.R. 5680, the Committee on Post Office and Civil Service shall be discharged from the further consideration of the bill S. 958, and it shall then be in order in the House to move to strike out all after the enacting clause of the said bill and to insert in lieu thereof the provisions contained in H.R. 5680 as passed by the House."

H. Res. 188	H.R. 2513	National Bureau of Standards (S. 821).
H. Res. 352	H.R. 2114	Maritime Appropriations Authorization Act (S. 1037).
H. Res. 359	H.R. 3435	Education of the Handicapped Act (S. 1341).
H. Res. 398	H.R. 2465	Earthquake Hazards Reduction and Federal Fire (S. 820).
H. Res. 526	H.R. 5680	Federal Pay Equity and Management Improvement (S. 958).
H. Res. 550	H.R. 11	Authorization for Certain Education Programs (S. 2496).

CONSIDERATION OF SENATE BILL IN HOUSE AND INSERT HOUSE LANGUAGE

". . . After the passage of H.R. 5580, the House shall proceed, to the consideration of the bill S. 2048, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions contained in H.R. 5580 as passed by the House."

H. Res. 507	H.R. 5580	Public Health Service—Organ Transplants (S. 2048).

MOTION, IF OFFERED BY COMMITTEE CHAIRMAN OR DESIGNEE, TO TAKE FROM SPEAKER'S TABLE AND INSERT HOUSE LANGUAGE

". . . After passage of H.R. 1510, it shall be in order to consider a motion, if offered by the Chairman of the Committee on the Judiciary or his designee, to take from the Speaker's table the bill S. 529 and to consider said bill in the House, and it shall then be in order to consider in the House a motion to strike out all after the enacting clause of the said Senate bill and to insert in lieu thereof the provisions contained in H.R. 1510 as passed by the House. . . ."

H. Res. 519	H.R. 1510	Immigration Reform and Control Act (S. 529).

SPEAKER'S OPTIONS ON CONSIDERING A JOINT RESOLUTION

". . . At any time after the adoption of this resolution the Speaker may, in his discretion, hold S.J. Res. 159 or a similar joint resolution passed by the Senate at the Speaker's table, and after the passage of H.J. Res. 364, the Speaker may, in his discretion, recognize for any of the following motions: (1) to consider S.J. Res. 159, or a similar joint resolution passed by the Senate, in the House; (2) to move to strike out all after the resolving clause of said resolution and to insert in lieu thereof the provisions contained in H.J. Res. 364 as passed by the House; and (3) to move to insist on the House amendment to said resolution and to request a conference with the Senate thereon."

H. Res. 318	H.J. Res. 364	War Powers Act (S.J. Res. 159).

CONSIDERATION IN THE HOUSE WAIVING ALL POINTS OF ORDER AGAINST THE BILL

". . . That upon the adoption of this resolution it shall be in order, any rule of the House to the contrary notwithstanding, to consider the bill in the House."

H. Res. 544	H.R. 5950	Increase Federal Contributions for Conventions.
H. Res. 545	H.R. 5953	Increase Statutory Limit on the Public Debt.

C. TABLE 3.—*Number of rules granted to committees during the 98th Congress*

Committee:	*Number*
Agriculture	9
Appropriations	32
Armed Services	7
Banking, Finance and Urban Affairs	10
Budget	5
Education and Labor	26
Energy and Commerce	30
Foreign Affairs	13
Government Operations	2
Permanent Select Committee on Intelligence	1
Interior and Insular Affairs	15
Judiciary	15
Merchant Marine and Fisheries	13
Post Office and Civil Service	1
Public Works	8
Science and Technology	14
Small Business	2
Ways and Means	26

These statistics also include joint referrals.

D. TABLE 4.—*Waivers of House Rule XXI, clause 5—Appropriations in a legislative bill*

Number of bills referred to one committee which contained violations of Rule XXI, cl. 5: (44)

Agriculture	3
Armed Services	4
Banking, Finance and Urban Affairs	2
Education and Labor	7
Energy and Commerce	2
Foreign Affairs	3
Government Operations	1
Interior and Insular Affairs	2
Judiciary	3
Merchant Marine and Fisheries	3
Public Works and Transportation	2
Science and Technology	3
Small Business	1
Ways and Means	8

Number of bills referred to more than one committee which contained violations of Rule XXI, clause 5: (14)

Education and Labor, Science and Technology—Mathematics and Science Education.	H. Res. 109; H.R. 1310.
Ways and Means, Appropriations—Social Security Act Amendments.	H. Res. 126; H.R. 1900.
Energy and Commerce, Ways and Means, Appropriations—Health Care for the Unemployed.	H. Res. 262; H.R. 3021.
Energy and Commerce, Ways and Means—Health Care for the Unemployed.	H. Res. 276; H.R. 3021.
Energy and Commerce, Ways and Means—Railroad Retirement Solvency Act.	H. Res. 286; H.R. 1646.
Energy and Commerce, Foreign Affairs—Broadcasting to Cuba.	H. Res. 300; H.R. 2453.
Science and Technology, Merchant Marine and Fisheries—Atmospheric, Climatic and Ocean Pollution Act.	H. Res. 354; H.R. 2900.
Agriculture, Banking, Ways and Means—Rural Electrification and Telephone Revolving Fund.	H. Res. 447; H.R. 3050.
Public Works, Agriculture, Interior, Judiciary, Merchant Marine—Water Resources, Conservation, Development.	H. Res. 515; H.R. 3678.
Agriculture, Education and Labor—Hunger Relief Act	H. Res. 517; H.R. 5151.
Judiciary, Agriculture, Energy and Commerce, Education and Labor, Ways and Means—Immigration Reforms and Control Act.	H. Res. 519; H.R. 1510.
Interior, Energy and Commerce—Indian Health Care Amendments.	H. Res. 560; H.R. 4567.
Energy and Commerce, Ways and Means, Public Works—Superfund Expansion and Protection Act.	H. Res. 570; H.R. 5640.
Merchant Marine, Public Works, Interior—Wetlands Resources Act of 1983.	H. Res. 579; H.R. 3082.

E. TABLE 5

Total number of waivers granted for all violations of Rule XXI, clause 5, contained in bills considered	69
Total number of bills referred to one committee which contained violations of Rule XXI, clause 5	44
Total number of bills referred to more than one committee which contained violations of Rule XXI, clause 5	14
Total number of rules granted to bills which contained violations of Rule XXI, clause 5	58

V. PUBLICATIONS OF THE COMMITTEE ON RULES, 98TH CONGRESS

98TH CONGRESS—1ST SESSION

COMMITTEE PRINTS

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Rules Adopted by the Committees of the House of Representatives, 98th Congress, 1st Session, 1983-1984, (Committee Print).

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SUBCOMMITTEE PRINTS

A Compilation of State Sunset Statutes with Background Information on State Sunset Laws. The Subcommittee on the Legislative Process (Subcommittee Print—October 1983).

Guidelines for the Establishment of Select Committees. Subcommittee on the Legislative Process (Subcommittee Print—February 1983).

REPORTS

Providing for the Establishment of a Select Committee on Hunger, Report to accompany H. Res. 15, H. Rept. 98-568, 98th Congress, 1st Session, November 18, 1983.

Providing for the Establishment of a Select Committee on Children, Youth, and Families, Report to accompany H. Res. 16, H. Rept. 98-1, 98th Congress, 1st Session, February 1, 1983.

Establishing a Select Committee on Narcotics Abuse and Control, Report to accompany H. Res. 49, H. Rept. 98-4, 98th Congress, 1st Session, February 7, 1983.

Providing for the Permanent Professional and Clerical Staff of the Permanent Select Committee on Intelligence, Report to accompany H. Res. 58, H. Rept. 98-8, 98th Congress, 1st Session, February 24, 1983.

Amending Rule XLIX of the Rules of the House of Representatives to Reflect the Changes Recently Made in the Method of Establishing the Statutory Limit on the Public Debt, Report to accompany H. Res. 241, H. Rept. 98-254, 98th Congress, 1st Session, June 1, 1983.

Authorizing an Investment and Inquiry by the Committee on Standards of Official Conduct, Report to accompany H. Res. 254, H. Rept. 98-285, 98th Congress, 1st Session, June 29, 1983.

First Concurrent Resolution on the Budget-Fiscal Year 1984, Report to accompany H. Con. Res. 91, H. Rept. 98-41, Part 2, 98th Congress, 1st Session, March 21, 1983.

Providing for the Commemoration of the 100th Anniversary of the birth of Harry S Truman, Report to accompany H. Con. Res. 126, H. Rept. 98-241, 98th Congress, 1st Session, June 14, 1983.

Federal Trade Commission Authorization Act of 1983, Report to accompany H.R. 2970, H. Rept. 98-156, Part 2, 98th Congress, 1st Session, May 16, 1983.

Federal Trade Commission Authorization Act of 1983, Report to accompany H.R. 2974, H. Rept. 98-157, Part 1, 98th Congress, 1st Session, May 16, 1983.

Export Administration Amendments of 1983, Report to accompany H.R. 3231, H. Rept 98-257, Part 3, 98th Congress, 1st Session, July 26, 1983.

HEARINGS

Congressional Budget Process. Hearings before the Task Force on the Budget Process of the Committee on Rules, House of Representatives, Ninety-Seventh Congress, Second Session, To Review the Congressional Budget Process since the Adoption of the Congressional Budget and Impoundment Act of 1974. Part 1: September 15, 17, 23, and 29, 1982. Part 2: April 29, 1983.

98TH CONGRESS—2D SESSION

COMMITTEE PRINTS

Committee on Rules Legislative Calendar—98th Congress, First Session (Committee Print—May 1984).

Discussion Drafts, Proposals to Improve the Congressional Budget Process. Prepared by the Task Force on the Budget Process of the Committee on Rules, U.S. House of Representatives. (Committee Print—January 1984).

Issue Presentations Before the Rules Committee Task Force on the Budget Process. Prepared by the Committee on Rules, U.S. House of Representatives. (Committee Print—October 1984).

Single Budget Resolution Approach, Prepared by the Committee on Rules, U.S. House of Representatives. (Committee Print—January 1984).

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Reorganization Act Amendments of 1984, Report to accompany H.R. 1314, H. Rept. 98-128, Part 2, 98th Congress, 2nd Session, March 30, 1984.

Tempory Suspension of Deportation of El Salvadoran Refugees, Report to accompany H.R. 4447, H. Rept. 98-1142, Part 1, 98th Congress, 2nd Session, October 4, 1984.

Congressional Budget Act Amendments of 1984, Report to accompany H.R. 5247, H. Rept. 98–1152, Part 1, 98th Congress, 2nd Session, October 5, 1984.

HEARINGS

Congressional Budget Process, Hearings before the Task Force on the Budget Process of the Committee on Rules, House of Representatives, Ninety-Eighth Congress, Second Session, To Review the Congressional Budget Process Since the Adoption of the Congressional Budget and Impoundment Control Act of 1974. Part 3, February 8 and 9, 1984.

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Legislative Veto after Chadha, Hearings before the Committee on Rules, House of Representatives, Ninety-Eighth Congress, Second Session, On the Impact of the Supreme Court Decision in the Case of *Immigration and Naturalization Service* v. *Chadha* Which Found the Legislative Veto Unconstitutional. November 9 and 10, 1983; February 23 and 29, 1984; March 1, 21, and 22, 1984; and May 10, 1984.

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